from the Office of the Secretary and at the Commission's website.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: October 16, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–24295 Filed 10–18–24; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1421]

Certain Rechargeable Batteries and Components Thereof; Notice of Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on September 12, 2024, under section 337 of the Tariff Act of 1930, as amended, on behalf of LithiumHub, LLC of Norris, South Carolina; Lithiumhub Technologies, LLC of Marshall, Texas; and Mr. Martin Koebler of Norris, South Carolina. Supplements to the complaint were filed on September 30, October 2, and October 7, 2024. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain rechargeable batteries and components thereof by reason of the infringement of certain claims of U.S. Patent No. 9,412,994 (''the '994 patent'') and U.S. Patent No. 9,954,207 (''the '207 patent''). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2024).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on October 15, 2024, *ordered that—*

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1, 4–9, 11–16, and 18–23 of the '994 patent and claims 1–10 and 12–20 of the '207 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''lithium-ion batteries with 6V or more electrical potential, and components used for domestic assembly of lithium-ion batteries with 6V or more electrical potential, specifically, battery management systems and lithium-based rechargeable cells'';

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

LithiumHub, LLC, 125 Tate Road, Norris, SC 29667

Lithiumhub Technologies, LLC, 104 E Houston, Ste. 150, Marshall, TX 75670

Mr. Martin Koebler, 125 Tate Road, Norris, SC 29667

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Bass Pro Outdoor World LLC, 2500 East Kearney Street, Springfield, MO 65898

Cabela's LLC, 2500 East Kearney Street, Springfield, MO 65898

Navico Group Americas LLC, N85 W12545 Westbrook Crossing, Menomonee Falls, WI 53051

Relion Battery (Shenzhen) Technology Co., Room 410, 4th Floor, Cui Hua Da Industrial, Park, No. 144 Botanical Garden Road, Nanyu E Community, Shenzhen, China

Renogy New Energy Co., LTD, 25A, Hengye Platinum, No. 1338, Sanxiang Road, Gusu District, Suzhou City, Jiangsu, China

RNG International Inc., 5050 S Archibald Avenue, Ontario, CA 91762

Clean Republic SODO LLC, 225 S Lucile St., Seattle, WA 98108

Shenzhen Yichen S-Power Tech Co. LTD, Floor 7, Building B4b, Yingzhan Industrial Zone, Longtian Community, Zehgzi Street, Pingshan District, Shenzhen, China

Shenzhen Fbtech Electronics LTD, No 4–5, Fendmenyuan Industrial Park, Fenfhuang Avenue, Longgang Shenzhen, Guangdong, China

Shenzhen LiTime Technology Co., LTD, Room 301, Building B, Baolong 5th Road, Baolong Community, Baolong Street, Shenzhen, Guangdong, China

Dragonfly Energy Corp., 1190 Trademark Dr. #108, Reno, NV 89521

Dragonfly Energy Holdings Corp., 1190 Trademark Dr. #108, Reno, NV 89521

MillerTech Energy Solutions LLC, 14632 Old State Road, Middlefield, OH 44062

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainants of the complaint and the notice of investigation. Extensions of time for

submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: October 16, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–24285 Filed 10–18–24; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 23–65]

Neeraj B. Shah, M.D.; Decision and Order

On August 30, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Neeraj B. Shah, M.D., (Respondent) of Austin, Texas. Administrative Law Judge Exhibit (ALJX) 1 (OSC), at 1. The OSC proposed the revocation of Respondent's DEA Certificate of Registration (registration), No. FS2968444, and alleged that Respondent's continued registration is inconsistent with the public interest. *Id.* (citing 21 U.S.C. 823(g)(1), 824(a)(4)).

A hearing was held before DEA Administrative Law Judge (ALJ) Teresa A. Wallbaum who, on March 8, 2024, issued her Recommended Rulings, Findings of Fact, Conclusions of Law, and Decision of the Administrative Law Judge (RD). The RD recommended that Respondent's registration be revoked. RD, at 33. Neither party filed exceptions to the RD. Having reviewed the entire record, the Agency adopts and hereby incorporates by reference the entirety of the ALJ's rulings, credibility findings,[1] findings of fact, conclusions of law, sanctions analysis, and recommended sanction in the RD and summarizes and expands upon portions thereof herein.[2]

I. Findings of Fact

The Agency finds from clear, unequivocal, and convincing evidence that Respondent failed to maintain sole possession of his hard token for issuing electronic controlled substance prescriptions, that he allowed unauthorized individuals to issue electronic controlled substance prescriptions using his DEA credentials, and that in doing so, he allowed controlled substances to be prescribed outside the usual course of professional practice and without a legitimate medical purpose. RD, at 24–27.

Respondent's Hard Token, Credentials, and Electronic Prescribing

In July 2019, Respondent[3] received an unsolicited fax offering employment as a prescribing practitioner with a telemedicine platform called Church Ekklasia Sozo (CES).[4] RD, at 11–12; Tr. 184–86, 327; Respondent's Exhibit (RX) 1. The company was based out of North Carolina and Respondent lived and worked in Texas. RD, at 4, 10, 12; ALJX 8, at 2, Stips. 1–3. Respondent joined CES in September 2019 and had his first patient intake and clinical encounter in May 2020. RD, at 12; Tr. 197–98. Respondent worked as a contractor physician for CES from September 9, 2019, to December 13, 2021. RD, at 4, 11–12; Tr. 40, 192–94; ALJX 8, at 2, Stip. 2. As a condition of employment at CES, Respondent was required to obtain a hard token[5] for the purpose of issuing electronic controlled substance prescriptions and to give the hard token to CES staff in North Carolina. RD, at 4, 6–7, 13; Tr. 44–45, 58–59, 227–29, 231, 280, 284. Respondent admitted to giving his hard token to CES and allowing the company to keep his electronic signature on file to issue controlled substance prescriptions under his DEA registration. *Id.*

On December 1, 2021, a DEA Diversion Investigator (DI)[6] conducted a regulatory inspection of Respondent's registered premises. RD, at 3–4; Tr. 28, 31–38, 138, 141–42, 156; Government's Exhibit (GX) 2. At the inspection, the DI informed Respondent that over 1,900 prescriptions for buprenorphine products (a schedule III controlled substance) had been issued under his registration in the past two years. RD, at 4; Tr. 41–43. Respondent stated that this number was ''too high'' because he only saw ''about 20 to 25 patients.'' *Id.* The DI asked Respondent to show her a prescription that he had issued, and Respondent pulled up a recently issued controlled substance prescription for patient J.O. RD, at 5–6; Tr. 50–53; GX 20, at 29. The prescription bore a time stamp indicating that it had been signed by Respondent while the DI was conducting the inspection. *Id.* Although the prescription for J.O. purported to be signed by Respondent, Respondent told the DI that he did not know this patient,

[1] The Agency adopts the ALJ's summary of the witnesses' testimonies as well as the ALJ's assessment of the witnesses' credibility. RD, at 3–21.

[2] On May 30, 2024, Respondent signed a DEA Form 104, Surrender for Cause of DEA Certificate of Registration. *See* 21 CFR 1301.52(a). Even when a registration is terminated, the Agency has discretion to adjudicate the OSC to finality. *See Jeffrey D. Olsen, M.D.,* 84 FR 68,474, 68,479 (2019) (declining to dismiss an immediate suspension order when the registrant allowed the registration to expire before final adjudication); *Steven M. Kotsonis, M.D.,* 85 FR 85667, 85668–69 (2020) (concluding that termination of a registration under 21 CFR 1301.52 does not preclude DEA from issuing a final decision and that the Agency would assess such matters on a case-by-case basis to determine if a final adjudication is warranted); *The Pharmacy Place,* 86 FR 21008, 21008–09 (2021) (''Adjudicating this matter to finality will create a public record to educate current and prospective registrants about the Agency's expectations regarding the responsibilities of registrant[s] . . . under the CSA and allow stakeholders to provide feedback regarding the Agency's enforcement priorities and practices.''); *Creekbend Community Pharmacy,* 86 FR 40627, 40628 n.4 (2021) (''Adjudicating this matter to finality will create an official record the Agency can use in any future interactions with Respondent . . . or other persons who were associated with Respondent.''). As in these cases, the Agency has evaluated the circumstances of this matter and determined that the matter should be adjudicated to finality for the purpose of creating an official record of the allegations and evidence, and educating the registrant community, the public, and stakeholders about the responsibilities associated with holding a DEA registration and the Agency's enforcement priorities.

[3] The ALJ found that ''to the extent [Respondent's] testimony contradicts with that offered by [the Diversion Investigator], [she] gives full credit to the [Diversion Investigator]'s testimony.'' RD, at 21. The Agency agrees with the amount of weight that the ALJ afforded Respondent's testimony.

[4] CES's staff did not hold DEA registrations. RD, at 5, 16; Tr. 50, 225–26.

[5] A hard token is a physical device similar to a key fob that may be used to authenticate an electronic prescription. Tr. 45; 21 CFR 1311.115(a)(3), 1311.140(a)(5). The hard token which Respondent used was not offered into evidence. Tr. 47. Instead, a picture of a hard token similar to one used by Respondent was admitted into evidence. Tr. 45–48; GX 22. The picture shows a small device, roughly two inches in length, with a small screen on which a PIN number would be displayed. *Id.* When a hard token is used to sign a prescription, the token generates a unique identification PIN number which serves as the signature on the prescription. RD, at 5; Tr. 46. The PIN is unique to each prescription and can be traced to the prescriber. *Id.*

[6] The Agency agrees with the ALJ's assessment that the DI was ''a credible, reliable'' witness and that her testimony was clear, objective, consistent, precise, and ''corroborated by the documentary evidence.'' RD, at 9. The ALJ found that ''[t]o the extent her testimony conflicts with Respondent's testimony, . . . [she] credits [the DI].'' *Id.* The Agency agrees with the amount of weight that the ALJ afforded Respondent's testimony.