

simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature of objectives of a joint venture for research and production. The notification was filed for the purpose of limiting recovery of plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are: General Motors Corporation, Powertrain Division, Pontiac, MI; IAP Research, Inc., Dayton, OH; and Zenith Sintered Products, Inc., Germantown, WI.

The purpose of this joint venture is to develop and demonstrate the next generation industrial process for high density powder metal products. The activities of this joint venture project will be partially funded by an award from the Advanced Technology Program, National Institute of Standards and Technology, Department of Commerce.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-8863 4-9-96 8:45 am]

BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Open Software Foundation, Inc.

Notice is hereby given that, on October 6, 1995, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), Open Software Foundation, Inc. ("OSF") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the identities of the new, non-voting members of OSF are as follows: University of Western Sydney, Kingwood, Australia; British Columbia Systems Corporation, Victoria, Canada; Jet Propulsion Laboratory, Pasadena, CA; Stanford University, ITS, Stanford, CA; Telestra Corporation, Victoria, Australia; Toyota Motor Corporation, Toyota, Japan; The Ohio State University, Columbus, OH; European Centre for Medium Range Weather, Reading, Berks, United Kingdom; Telos Federal Systems, Shrewsbury, NJ; British Columbia Hydro and Power, Vancouver, Canada; Microsoft Corporation, Tokyo, Japan; and Den Norske Bank, Bergen, Norway.

No other changes have been made in either the membership or planned activity of the group research and production project. Membership in this group research and production project remains open, and OSF intends to file additional written notifications disclosing all changes in membership.

On May 11, 1994, OSF filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to Section 6(b) of the Act on August 31, 1994 (59 Fed. Reg. 45009).

The last notification was filed with the Department on May 1, 1995. A notice was published in the Federal Register pursuant to Section 6(b) of the Act on June 20, 1995 (60 Fed. Reg. 32170).

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-8870 Filed 4-9-96; 8:45 am]

BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Portland Cement Association

Notice is hereby given that, on January 26, 1996, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), the Portland Cement Association ("PCA") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Rio Grande Cement Corp. (Tijeras, NM) has joined and Gulf coast Cement has merged into Sunbelt Cement, making Sunbelt Corporation (Houston, TX) a member of PCA. Also, Loesche GmbH (Dusseldorf, Germany) and CP Recycling & Affiliated Companies (Muskegon, MI) have become associate members of PCA.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and PCA intends to file additional written notifications disclosing all changes in membership.

On January 7, 1985, PCA filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to section 6(b) of the Act on February 5, 1985, 50 FR 5015.

The last notification was published in the Federal Register on March 12, 1996 at 61 FR 10012.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-8865 Filed 4-9-96; 8:45 am]

BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Clean Heavy Duty Diesel Engine II

Notice is hereby given that, on March 5, 1996, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), Southwest Research Institute ("SwRI") has filed notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of involving the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Allied Signal, Torrance, CA; Cummins Engine Company, Columbus, IN; Hino Motors, Ltd., Tokyo JAPAN; IVECO SpA, Torino, ITALY; John Deere Product Engineering Center, Deere and Company, Waterloo, IA; Renault Vehicules Industriels, Saint-Priest, FRANCE, joined by its subsidiary Mack Trucks, Inc., Hagerstown, MD; Van Doorne's Bedrijfswagenfabriek DAF B.V., Eindhoven, THE NETHERLANDS; Volvo Truck Corporation, Goteborg, SWEDEN; and Zexel Corporation, Saitama, JAPAN. Its general areas of planned activities are to develop technologies for the reduction of exhaust emissions in NO_x and PM to levels of 1.0 gm/hp-hr and 0.035 gm/hp-hr, respectively, through a systems approach focusing on advanced applications in diesel engines of exhaust gas recirculation (EGR) high injection pressure, small nozzle holes, real-time water emulsions, passive particulate traps, injection timing and rate control and fuel reformation and to develop design alternatives which efficiently use these key technologies in the various participants' product lines, to transfer such know-how and design alternatives to the participants and to build a working system incorporating the Key technologies.

Membership in the program remains open, and SwRI intends to file additional written notifications

disclosing all changes in the membership or planned activities.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-8864 Filed 4-9-96; 8:45 am]

BILLING CODE 4410-01-M

National Cooperative Research Notification; Southwest Research Institute: Diesel Particulate/NO subx Aftertreatment Using Plasma or Corona Discharges Cooperative Research Project

Correction

In notice document 95-27944 appearing on page 57022-04 in the issue of Monday, November 13, 1995 make the following correction:

In the first paragraph, in the first line "July 24" should read "August 14".

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-8872 Filed 4-9-96; 8:45 am]

BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Research and Production Act of 1993 Specialty Metals Processing Consortium, Inc.

Notice is hereby given that, on October 30, 1995, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), the Specialty Metals Processing Consortium ("SMPC") filed notification simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in membership. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Oregon Metallurgical Corporation, Albany, OR has joined SMPC; and the following members have withdrawn from SMPC: Allied-Signal Aerospace Company, Garrett Engine Division, Phoenix, AZ; Cyclops Corporation, Cytemp Specialty Steel Division, Titusville, PA; Howmet Corporation, Alloy Division/Plymouth Plant, Plymouth, MI; United Technologies Corporation, Pratt and Whitney Division, Hartford, CT; and Precision Rolled Products, Inc., Reno, NE. No other changes have been made in either the membership or the planned activity of the joint venture.

On August 7, 1990, SMPC filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to Section 6(a) of the

Act on September 17, 1990 (55 FR 38173). The last notification was filed on January 28, 1991. A notice was published in the Federal Register pursuant to Section 6(b) of the Act on February 19, 1991 (56 FR 6686).

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-8868 Filed 4-9-96; 8:45 am]

BILLING CODE 4410-01-M

Drug Enforcement Administration

[Docket No. 95-13]

Dinorah Drug Store, Inc.; Grant of Application

On December 12, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Dinorah Drug Store, Inc., (Respondent) of Hialeah, Florida, notifying it of an opportunity to show cause as to why DEA should not deny its application for registration as a retail pharmacy under 21 U.S.C. 823(f) and 824(a)(5). Specifically, the Order to Show Cause alleged that:

(1) Between May and June 1991, while doing business as Dinorah Pharmacy Corporation (Dinorah Pharmacy), its owner Luz B. Abad unlawfully sold samples and complimentary packages of non-controlled drug products to Medicaid recipients, and submitted claims for payment to the Florida Medicaid Program.

(2) On June 4, 1992, in the Eleventh Judicial Circuit of Florida (Dade County), Dinorah Pharmacy and Luz B. Abad pled guilty to one felony count of selling samples or complimentary packages of drug products. Dinorah Pharmacy and Ms. Abad were ordered to pay court costs, fines and to reimburse the State of Florida Office of the Auditor General for investigative cost.

(3) On February 24, 1993, Dinorah Pharmacy was notified by the Department of Health and Human Services of its five-year mandatory exclusion from participations in the Medicare program pursuant to 42 U.S.C. 1320a-7(a). Such exclusion constitutes a basis for the denial of [the Respondent's] application for DEA Certificate of Registration.

Pursuant to a telephone conference on August 31, 1995, with Administrative Law Judge Paul A. Tenney, the parties agreed to accept a decision based upon an agreed statement of facts. The statement of facts was to consist of the prehearing statements submitted by each party, and any exhibits that the parties timely submitted consistent with those statements. It was also stipulated that Ms. Luz B. Abad is the predominant owner of the Respondent, Dinorah Drug Store, Inc. (Dinorah Drug Store). Subsequently, the Government

submitted ten exhibits and each party submitted proposed findings of fact, conclusions of law, and argument.

On October 11, 1995, Judge Tenney issued his Findings of Fact, Conclusions of Law and Recommended Ruling, recommending that the Respondent's application for registration be granted. Neither party filed exceptions to his decision, and on November 16, 1995, Judge Tenney transmitted the record of these proceedings to the Deputy Administrator.

The Deputy Administrator has considered the record in its entirety, and pursuant to 21 CFR 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The Deputy Administrator adopts, in full, the Findings of Fact, Conclusions of Law, and Recommended Ruling of the Administrative Law Judge, and his adoption is in no manner diminished by any recitation of facts, issues and conclusions herein, or of any failure to mention a matter of fact or law.

The Deputy Administrator finds that Ms. Luz Abad is licensed as a pharmacist with the Board of Pharmacy for the State of Florida. She is the predominant owner of the Respondent, Dinorah Drug Store, and she was also the predominant owner and sole pharmacist of Dinorah Pharmacy until its dissolution in late 1992.

In June of 1991, the Office of the Auditor General for the State of Florida conducted an investigation of Dinorah Pharmacy and Ms. Abad regarding possible Medicaid fraud. The Regional Drug Inspector for the Department of Health and Rehabilitative Services informed the Office of the Auditor General that a large quantity of samples of non-controlled substances were found during a routine pharmacy inspection of Dinorah Pharmacy. Subsequent investigation revealed that Dinorah Pharmacy had dispensed sample medications to two Medicaid recipients and submitted claims to Medicaid for those samples. As a result, Dinorah Pharmacy had received \$162.40 from Medicaid for the sample medications that had been dispensed.

Dinorah Pharmacy and Ms. Abad were both individually charged with one felony count of Selling Samples or Complimentary Packages of Drug Products in violation of Florida Statute 465.015(2)(d). On June 4, 1992, Dinorah Pharmacy pled guilty to the above charge. However, pursuant to a Pre-Trial Intervention Agreement, Ms. Abad was not prosecuted. The Dinorah Pharmacy was dissolved as a business entity, and its DEA registration was retired. Effective March of 1993, the Department