chilled taro is provided for in HTS subheading 0714.40.10, while fresh or chilled dasheens are provided for in HTS subheading 0714.90.10. As part of this investigation, the Commission intends to consider whether it is necessary or appropriate to recommend to the President that one of the two subheadings be deleted from the HTS. The second additional possible modification relates to the HTS nomenclature for corned beef, which is provided for in HTS subheading 1602.50.10. The superior subheading to subheading 1602.50.10 provides for certain meat of bovine animals that is not cured. However, corned beef is a cured meat product. As part of this investigation, the Commission intends to consider whether it is necessary or appropriate to recommend to the President that the HTS be modified to provide for corned beef under a superior subheading for cured meat of bovine animals.

An up-to-date copy of the HTS, which incorporates the Harmonized System in its overall structure, can be found on the Commission Web site at *www.usitc.gov.* Hard copies and electronic copies on CD can be found at many of the 1,400 Federal Depository Libraries located throughout the United States and its territories; further information about these locations can be found at *www.gpoaccess.gov* or by contacting GPO Access by telephone at (866) 512–1800.

Proposed Recommendations, Opportunity To Comment: In preparing its recommended modifications, the Commission will first prepare proposed recommendations and provide opportunity to interested Federal agencies and the public to present their views in writing on those proposed recommendations. The Commission expects to publish the proposed recommendations on its Web site in December 2014, and will publish a notice in the **Federal Register** at that time providing notice of their availability and the procedures for filing written views, including the date by which such written views must be filed. To assist the public in understanding the proposed changes and in developing comments, the Commission will include, with the proposed recommendations and in its report to the President, a non-authoritative cross-reference table linking the proposed tariff codes to the corresponding current tariff codes. Persons using the successive versions of this table should be aware that the cross-references shown are subject to change during the course of the investigation.

Recommendations to the President: The Commission will submit its recommended modifications to the President in the form of a report that will include a summary of the information on which the recommendations were based, together with a statement of the probable economic effect of each recommended change on any industry in the United States. The report also will include a copy of all written views submitted by interested Federal agencies and a copy or summary, prepared by the Commission, of the views of all other interested parties. The Commission expects to submit that report in July 2015.

By order of the Commission.

Issued: August 20, 2014.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2014–20175 Filed 8–25–14; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–378]

Controlled Substances: Adjustment to the Established 2014 Aggregate Production Quota for Marijuana

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Notice.

SUMMARY: This notice addresses a comment received as a result of a notice with request for comments published May 5, 2014, adjusting the established 2014 aggregate production quota for marijuana, a schedule I controlled substance under the Controlled Substances Act.

DATES: Effective August 26, 2014.

FOR FURTHER INFORMATION CONTACT: Imelda L. Paredes, Office of Diversion Control, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152, Telephone: (202) 598–6812.

SUPPLEMENTARY INFORMATION:

Legal Authority

The Drug Enforcement Administration (DEA) implements and enforces titles II and III of the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended. Titles II and III are referred to as the ''Controlled Substances Act'' and the ''Controlled Substances Import and Export Act,'' respectively, and are collectively referred to as the ''Controlled Substances Act'' or the ''CSA'' for the purpose of this action. 21 U.S.C. 801–971. The DEA publishes the implementing regulations for these statutes in title 21 of the Code of Federal Regulations (CFR), parts 1300 to 1321. The CSA and its implementing regulations are designed to prevent, detect, and eliminate the diversion of controlled substances and listed chemicals into the illicit market while providing for the legitimate medical, scientific, research, and industrial needs of the United States. Controlled substances have the potential for abuse and dependence and are controlled to protect the public health and safety.

Section 306 of the CSA (21 U.S.C. 826) requires the Attorney General to establish aggregate production quotas for each basic class of controlled substance listed in schedules I and II each year. The Attorney General has delegated this authority under 21 U.S.C. 826 to the Administrator of the DEA, 28 CFR 0.100.

Background

The DEA established the initial 2014 aggregate production quotas and assessments for annual need on September 9, 2013 (78 FR 55099). The notice stipulated that, as provided for in 21 CFR 1303.13, all aggregate production quotas and assessments for annual need are subject to adjustment. On May 5, 2014, a notice titled, ''Controlled Substances: Adjustment to the Established 2014 Aggregate Production Quota for Marijuana,'' was published in the **Federal Register** (79 FR 55099). That notice adjusted the established 2014 aggregate production quota for marijuana for reasons stated therein. All interested persons were invited to comment on or object to the adjusted 2014 aggregate production quota for marijuana on or before June 4, 2014.

Comments Received

The DEA received one comment on the notice with request for comments. The commenter supported the adjusted 2014 aggregate production quota for marijuana. The DEA appreciates the support for this adjusted 2014 aggregate production quota for marijuana which will provide for the estimated scientific, research, and industrial needs of the United States.

Determination for Adjusting the Established 2014 Aggregate Production Quota for Marijuana

The DEA has taken into consideration the one comment received during the 30-day period and the Administrator has determined, pursuant to Section 306

of the CSA (21 U.S.C. 826), based on all of the above, and for the reasons stated in the May 5, 2014, notice, that the adjusted established 2014 aggregate production quota for marijuana to be manufactured in the United States in 2014 to provide for the estimated scientific, research, and industrial needs of the United States, and the establishment and maintenance of reserve stocks, expressed in grams of anhydrous acid or base, shall remain as follows:

Basic class-schedule I	Previously established 2014 quota	Adjusted 2014 quota
Marijuana	21,000 g	650,000 g

Dated: August 20, 2014.

Michele M. Leonhart,

Administrator.

[FR Doc. 2014–20317 Filed 8–25–14; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Richard C. Quigley, D.O.; Decision and Order

On November 13, 2013, I, the Deputy Administrator, Drug Enforcement Administration, issued an Order to Show Cause and Immediate Suspension of Registration (hereinafter OTSC/ISO or Order) to Richard C. Quigley, D.O. (Registrant), of Oscoda, Michigan. The Order, which also sought the revocation of Registrant's DEA Certificate of Registration and the denial of any pending applications to renew or modify his registration, alleged, *inter alia,* that on ten occasions between June 6 and August 30, 2013, Registrant prescribed schedule III controlled substances combining hydrocodone and acetaminophen, to four undercover law enforcement officers, without ''conduct[ing] a physical examination or properly assess[ing] the needs of [the] individual[s] for controlled substances.'' *Id.* at 2–3. The Order thus alleged that Registrant acted outside of the usual course of professional practice and lacked a legitimate medical purpose in issuing the prescriptions and thus violated both federal and state law. *Id.* (citing 21 CFR 1306.04(a); Mich. Comp. Laws sections 333.7333; 333.7405).[1]

Based on ''the egregious and repeated nature of [his] misconduct,'' the Order further concluded that Registrant's ''continued registration during the pendency of these proceedings would constitute an imminent danger to the public health or safety.'' *Id.* at 4. Accordingly, I ordered that Registrant's registration be immediately suspended. *Id.*

On November 18, 2013, a DEA Diversion Investigator (DI) attempted to serve the OTSC/ISO on Registrant. GX 2, at 2. However, she ''discovered that [Registrant] had abandoned his practice, pulled his children out of school, and fled . . . to Canada.'' *Id.* Upon inquiring with U.S. Customs and Border Protection, the DI determined that Registrant ''and his family entered Canada on September 26, 2013'' and had not returned to the United States. *Id.* at 2–3.

Simultaneously with the DI's attempt to effect service, on November 18, 2013, a Legal Assistant with the Office of Chief Counsel mailed the OTSC/ISO to Registrant, at the mailing address he had previously provided the Agency, by certified mail, return receipt requested. GX 8. On November 21, 2013, the legal assistant queried the U.S. Postal Service's Track and Confirm'' Web page; the Web page stated: ''Moved, Left No Address.'' *Id.* Thereafter, on November 29, the mailing was returned to the Office of Chief Counsel. *Id.*

On December 2, 2013, the Legal Assistant re-mailed the OTSC/ISO to Registrant by First Class Mail to the same address. *Id.* However, on December 11, 2013, the mailing was returned bearing a label which read: ''MOVED LEFT NO ADDRESS, UNABLE TO FORWARD, RETURN TO SENDER.'' *Id.*

Concurrently with her attempts to effect service by mail, on November 20, the Legal Assistant emailed the OTSC–ISO to Registrant at the contact email address he had previously provided to the Agency's Registrant Information Consolidated System (RICS). *Id.* at 2. According to the Legal Assistant, she ''received notification from my email program that delivery to the recipient was complete. I did not receive any error message that indicated that the email was not delivered.'' *Id.*

Based on the above, I find that the Government has complied with its constitutional obligation to ''to provide 'notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.' '' *Jones* v. *Flowers,* 547 U.S. 220, 226 (2006) (quoting *Mullane* v. *Central Hanover Bank & Trust Co.,* 339 U.S. 306, 314 (1950)). Moreover, '' 'when notice is a person's due . . . [t]he means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it.' '' *Jones,* 547 U.S. at 229 (quoting *Mullane,* 339 U.S. at 315).

Here, while the Government's efforts to effect service by both hand delivery and mail were not effective, several courts have held that the emailing of process can, depending on the facts and circumstances, satisfy due process, especially where service by conventional means is impracticable because a person secretes himself. *See Rio Properties, Inc.* v. *Rio Int'l Interlink,* 284 F.3d 1007, 1017–18 (9th Cir. 2002); *Snyder, et al.* v. *Alternate Energy Inc.,* 857 N.Y.S. 2d 442, 447–449 (N.Y. Civ. Ct. 2008); *In re International Telemedia Associates, Inc.,* 245 B.R. 713, 721–22 (Bankr. N.D. Ga. 2000). To be sure, courts have recognized that the use of email to serve process has ''its limitations,'' including that ''[i]n most instances, there is no way to confirm receipt of an email message.'' *Rio Properties,* 284 F.3d at 1018.

Due process does not, however, require actual notice, *Jones,* 547 U.S. at 226 (quoting *Dusenberry,* 534 U.S. 161, 170 (2002)), but rather, only '' 'notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.' '' *Id. (quoting Mullane,* 339 U.S. at 314). Here, I conclude that because the Government's use of traditional means of service was rendered futile by Registrant's having fled the United States, the use of email to effect service at an email address he had previously provided the Agency was ''reasonably calculated . . . to apprise [Registrant] of the pendency of the action'' where the Government did not receive back either an error or undeliverable message. *See Emilio*

[1] The Show Cause Order also notified Registrant of his right to request a hearing on the allegations or to submit a written statement in lieu of a hearing, the procedure for electing either option, and the consequence for failing to do either. GX 1, at 5 (citing 21 CFR 1301.43(a), (c), (d)–(e)).