

with what DEA expects of a registrant. While Respondent testified that other employees were responsible for screening the patients, he acknowledged that if the patients “were liars * * * they could break through” and that “a lot of fraud can happen.” He then justified his prescribing notwithstanding the obvious diversion risk, claiming that he is not a lawyer or police agent and that as “a physician * * * I take people at their word” and “as a family physician, I have patients that come to me face-to-face and can be dishonest with me.” *Id.* at 206–09.

Later, Respondent claimed that he could identify drug abusers and drug seekers by their voice or diction, but then acknowledged that this was “by no means, any criteria to determine who is being evasive” and that it was “very, very less than perfect.” *Id.* at 230–31. Putting aside the obvious risk of diversion by prescribing to people one never meets, if Respondent, as a trained physician, could not identify drug abusers and drug seeking patients, it should have been apparent that Ken Drugs’ employees could not either. Yet he proceeded to prescribe controlled substances to numerous persons even though he had no idea as to whether they were legitimate patients or drug seekers and abusers.¹⁹

¹⁹The National Center on Addiction and Substance Abuse (CASA) has reported that “[t]he number of people who admit abusing controlled prescription drugs increased from 7.8 million in 1992 to 15.1 million in 2003.” National Center on Addiction and Substance Abuse, *Under the Counter: The Diversion and Abuse of Controlled Prescription Drugs in the U.S.* 3 (2005) (cited in *Stodola*, 74 FR at 10089 n.24). Moreover, “[a]pproximately six percent of the U.S. population (15.1 million people) admitted abusing controlled prescription drugs in 2003, 23 percent more than the combined number abusing cocaine (5.9 million), hallucinogens (4.0 million), inhalants (2.1 million) and heroin (328,000).” *Id.* Relatedly, “[b]etween 1992 and 2003, there has been a * * * 140.5 percent increase in the self-reported abuse of prescription opioids”; in the same period, the “abuse of controlled prescription drugs has been growing at a rate twice that of marijuana abuse, five times greater than cocaine abuse and 60 times greater than heroin abuse.” *Id.*

CASA has further reported that teenagers “represent an especially vulnerable group,” because “[t]eens may view prescription drugs as relatively safe either when abused alone or in combination with alcohol or other drugs.” *Id.* According to CASA, “[i]n 2003, 2.3 million teens ages 12 to 17 (9.3 percent) reported abusing a controlled prescription drug in the past year; 83 percent of them reported abusing opioids.” *Id.* Moreover, “[b]etween 1992 and 2002, the number of [first time] teenage prescription opioid abusers increased by 542 percent.” *Id.*

Finally, CASA noted that “[i]nternet sites not adhering to state licensing requirements, medical board standards or Federal law have enabled consumers to obtain controlled prescription drugs without a valid prescription or physician supervision and without regard to age.” *Id.* at 63. CASA also noted that “illegal [i]nternet pharmacies have introduced a new avenue through which

The ALJ was also unimpressed by Respondent’s testimony regarding his interactions with Ken Drugs’ patients. For example, Respondent testified that Ken Drugs’ customers would not be able to get him “on the phone until they had gone through some of these hurdles” such as sending in their medical records. *Id.* at 206. He also claimed that there were times when the customers got through to him without having provided their medical records, and that he “would have to say, ‘No, we can’t help you.’” *Id.* at 214. Yet he prescribed to both the DEA and DOH Investigators who had not sent in any records. He also testified that he discussed “the risk of habituation” with the persons he prescribed to. *Id.* at 217. Once again, he did not do so when he prescribed to either the DEA or DOH Investigators.

As the ALJ found, much of Respondent’s testimony was self-serving and disingenuous. Moreover, Respondent repeatedly attempted to minimize his misconduct, which is egregious. In short, Respondent has failed to acknowledge any wrongdoing on his part. Accordingly, I agree with the ALJ’s finding that Respondent has failed to accept responsibility for his misconduct and that this “warrants the finding * * * that his continued registration poses a threat to the public health and safety.” ALJ at 46.²⁰ Having concluded that Respondent has failed to rebut the Government’s *prima facie* case, his registration will be revoked and any pending application will be denied.

Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f) & 824(a)(4), as well as by 28 CFR 0.100(b) & 0.104, I order that DEA Certificate of Registration, BL6686541, issued to Ronald Lynch, M.D., be, and it hereby is, revoked. I

unscrupulous buyers and users can purchase controlled substances for unlawful purposes.” *Id.* Moreover, “[t]he age of the customers appears not to be an issue for Internet pharmacies,” and that there are “no mechanisms in place to block children from purchasing controlled drugs over the Internet.” *Id.* at 66.

²⁰See also *Stodola*, 74 FR at 20730–31 (practitioner’s continued registration deemed inconsistent with the public interest where, *inter alia*, “he has not accepted responsibility for his misconduct but blames others”); *Leslie*, 68 FR at 15231 (revoking registration where, *inter alia*, “Respondent refuse[d] to take responsibility for his past misconduct” and “remain[ed] steadfast in his insistence upon denying any previous wrongdoing”); *Prince George Daniels*, 60 FR 62881, 62887 (1995) (registrant’s “lack of candor * * * as to the full extent of his involvement in the cocaine incident creates concern about his future conduct”); *John Stanford Noell*, 59 FR 47359, 47361 (1994) (denying Respondent’s application for registration where, as to factor five, “Respondent has exhibited no remorse for his illegal activities”).

further order that any application for renewal or modification of such registration be, and it hereby is, denied. This Order is effective January 18, 2011.

Dated: December 3, 2010.

Michele M. Leonhart,
Deputy Administrator.

[FR Doc. 2010–31650 Filed 12–15–10; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Bureau of International Labor Affairs; Notice of Publication of 2010 Update to the Department of Labor’s List of Goods From Countries Produced by Child Labor or Forced Labor

AGENCY: Bureau of International Labor Affairs, Department of Labor.

ACTION: Announcement of Public Availability of updated list of goods.

SUMMARY: This notice announces the publication of an updated list of goods—along with countries of origin—that the Bureau of International Labor Affairs (“ILAB”) has reason to believe are produced by child labor or forced labor in violation of international standards (“List”). ILAB is required to develop and make available to the public the List pursuant to the Trafficking Victims Protection Reauthorization Act of 2005 (“TVPPRA”).

FOR FURTHER INFORMATION CONTACT: Director, Office of Child Labor, Forced Labor, and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor at (202) 693–4843 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: ILAB’s Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) carries out the mandates of section 105(b)(1) of the TVPPRA, Public Law 109–164. For complete information on OCFT’s TVPPRA activities, please visit the Web site listed below. Previous **Federal Register** notices issued on this subject include: *Notice of Proposed Procedural Guidelines for the Development and Maintenance of the List of Goods From Countries Pursuant to the Trafficking Victims Protection Reauthorization Act of 2005* (72 FR 55808, Oct. 1, 2007); *Notice of Procedural Guidelines for the Development and Maintenance of the List of Goods from Countries Produced by Child Labor or Forced Labor; Request for Information* (72 FR 73374, Dec. 27, 2007); *Notice of Public Hearing to Collect Information to Assist in the Development of the List of Goods From Countries Produced by Child Labor or*

Forced Labor (73 FR 21985, Apr. 23, 2008); and *Notice of Publication of The Department of Labor's List of Goods from Countries Produced by Child Labor or Forced Labor* (74 FR 46620, Sept. 10, 2009).

ILAB published the first *List of Goods Produced by Child Labor or Forced Labor* on Sept. 10, 2009. That List included 122 goods from 58 countries, based on research on 77 countries. ILAB now announces the publication of an updated List, reflecting research on 39 additional countries as well as review of information submitted to ILAB pursuant to its TVPRA procedural guidelines. This update adds 6 new goods and 12 new countries to the List. A full report, including the updated List and a discussion of the List's context, scope, methodology, and limitations, as well as Frequently Asked Questions and a bibliography of sources, are available on the DOL Web site at: <http://www.dol.gov/ilab/programs/ocft/tvpra.htm>.

Signed at Washington, DC, this 6th day of December, 2010.

Sandra Polaski,

Deputy Undersecretary for International Affairs.

[FR Doc. 2010-31150 Filed 12-15-10; 8:45 am]

BILLING CODE 4510-28-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Standard on Mechanical Power Presses

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) hereby announces the submission of the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, "Standard on Mechanical Power Presses," to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35).

DATES: Submit comments on or before January 18, 2011.

ADDRESSES: A copy of this ICR, with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the *RegInfo.gov* Web site, <http://www.reginfo.gov/public/do/PRAMain> or by contacting Michel Smyth by telephone at 202-693-

4129 (this is not a toll-free number) or sending an e-mail to DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor, Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-6929/Fax: 202-395-6881 (these are not toll-free numbers), e-mail: OIRA_submission@omb.eop.gov.

FOR FURTHER INFORMATION: Contact Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by e-mail at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The inspection and certification records required by the Standard on Mechanical Power Presses are intended to ensure that mechanical power presses are in safe operating condition, and that all safety devices are working properly. Failure of these safety devices could cause serious injury or death to a worker.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is currently approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB Control Number 1218-0229. The current OMB approval is scheduled to expire on December 31, 2010; however, it should be noted that information collections submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on August 11, 2010 (75 FR 48726).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference OMB Control Number 1218-0229. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- Enhance the quality, utility, and clarity of the information to be collected; and

- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Occupational Safety and Health Administration (OSHA).

Title of Collection: Standard on Mechanical Power Presses.

OMB Control Number: 1218-0229.

Affected Public: Private sector, businesses or other for-profits.

Total Estimated Number of Respondents: 295,000.

Total Estimated Number of Responses: 9,975,130.

Total Estimated Annual Burden Hours: 1,373,054.

Total Estimated Annual Costs Burden: \$0.

Dated: December 13, 2010.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2010-31581 Filed 12-15-10; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Office of the Secretary

Notice of Initial Determination Revising the List of Products Requiring Federal Contractor Certification as to Forced/ Indentured Child Labor Pursuant to Executive Order 13126

AGENCY: Bureau of International Labor Affairs (ILAB), Labor.

ACTION: Request for comments.

SUMMARY: This initial determination proposes to revise the list required by Executive Order No. 13126 ("Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor"), in accordance with the Department of Labor's "Procedural Guidelines for the Maintenance of the List of Products Requiring Federal Contractor Certification as to Forced or Indentured