

Registrant, both with respect to the volume of drugs being diverted and by denying that he was engaged in diverting and abusing the controlled substances. As explained above, Registrant's and Chapman's misconduct in diverting drugs, which the latter personally abused, was actionable misconduct under both Factor Four (compliance with applicable laws related to controlled substances) and Factor Five (other conduct which may threaten public health and safety). As the DI explained, had Chapman been candid during the June 30, 2016 interview, he and his colleagues "would have pursued immediate criminal action against Chapman" as well as administrative action against Registrant. Indeed, Chapman's subsequent admissions during the July 22, 2016 interview supported both criminal charges against Chapman and the Immediate Suspension Order.

Accordingly, I conclude that the evidence with respect to Factor Five establishes that Registrant's principal was abusing controlled substances and that he made several materially false statements to DEA investigators. I also conclude that these acts constitute actionable misconduct which may threaten public health and safety.

*Summary of Factors Four and Five and Imminent Danger*

As found above, the Government's evidence establishes that Registrant unlawfully distributed controlled substances to Chapman and failed to maintain required records. The evidence also establishes that Registrant's principal and pharmacist in charge unlawfully possessed controlled substances, destroyed records that Registrant was required to maintain, abused controlled substances and made materially false statements to DEA Investigators. I therefore find that Registrant has committed such acts as to render its registration inconsistent with the public interest. 21 U.S.C. 824(a)(4).

For purposes of the imminent danger inquiry, these findings also support the conclusion that Registrant has "fail[ed] . . . to maintain effective controls against diversion or otherwise comply with the obligations of a registrant under" the CSA. 21 U.S.C. 824(d)(2). Also, the evidence that Chapman was diverting 200 to 300 milligrams of narcotics per day, which he then abused (along with the evidence showing that

he was hospitalized for an overdose on multiple occasions), establishes that there was "a substantial likelihood of an immediate threat that death, serious bodily harm, or abuse of a controlled substance [would] occur in the absence of the immediate suspension of [Registrant'] registration." *Id.* I therefore affirm the issuance of the Immediate Suspension Order.

Pursuant to 21 U.S.C. 824(f), "[u]pon a revocation order becoming final, all . . . controlled substances" seized pursuant to a suspension order "shall be forfeited to the United States" and "[a]ll right, title, and interest in such controlled substances shall vest in the United States upon a revocation order becoming final." As the Agency has previously held, a registrant cannot defeat the effect of this provision by allowing its registration to expire." *S & S Pharmacy, Inc., d/b/a Platinum Pharmacy & Compounding*, 78 FR 57656, 57659 (2013) (citing *Meetinghouse Community Pharmacy, Inc.*, 74 FR 10073, 10074 n.5 (2009); *RX Direct Pharmacy, Inc.*, 72 FR 54070, 54072 n.4 (2007)). Registrant had the right to challenge the Immediate Suspension Order before the Agency but chose not to. And had Registrant not allowed its registration to expire, I would have revoked it.

Accordingly, I will order that the controlled substances seized pursuant to the Immediate Suspension Order be forfeited to the United States. 21 U.S.C. 824(f). I will also declare that "[a]ll, right, title, and interest in" the controlled substances that were seized pursuant to the Suspension Order have vested in the United States. *Id.*

**Order**

Pursuant to the authority vested in me by 21 U.S.C. 824(a) and (d), as well as 28 CFR 0.100(b), I order that the Order of Immediate Suspension issued to Chip RX d/b/a City Center Pharmacy be, and it hereby is, affirmed. Pursuant to the authority vested in me by 21 U.S.C. 824(f), I order that all controlled substances seized pursuant to the Order of Immediate Suspension be, and they hereby are, forfeited to the United States. Pursuant to the authority vested in me by 21 U.S.C. 824(f), I also declare that all right, title, and interest in all controlled substances seized pursuant to the Order of Immediate Suspension be, and they hereby are, vested in the

United States. This Order is applicable December 6, 2017.

Dated: October 31, 2017.

**Robert W. Patterson,**  
*Acting Administrator.*

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**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

[Docket No. DEA-392]

**Bulk Manufacturer of Controlled Substances Application: Cerilliant Corporation**

**ACTION:** Notice of application.

**DATES:** Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before January 5, 2018.

**ADDRESSES:** Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152.

**SUPPLEMENTARY INFORMATION:** The Attorney General has delegated his authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled substances (other than final orders in connection with suspension, denial, or revocation of registration) has been redelegated to the Assistant Administrator of the DEA Diversion Control Division ("Assistant Administrator") pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.33(a), this is notice that on May 23, 2017, Cerilliant Corporation, 811 Paloma Drive, Suite A, Round Rock, Texas 78665-2402 applied to be registered as a bulk manufacturer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
ADB-FUBINACA (N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide) .....	7010	I
MDMB-FUBINACA (Methyl-2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate) .....	7020	I
MAB-CHMINACA (N-(1-amino-3,3dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide) .....	7032	I

Controlled substance	Drug code	Schedule
5F-AMB (Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate) .....	7033	I
5F-ADB;5F-MDMB-PINACA (Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate) .....	7034	I
MDMB-CHMICA, MMB-CHMINACA (Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate).	7042	I
5F-APINACA, 5F-AKB48 (N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide) .....	7049	I
U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide) .....	9547	I
Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide) .....	9811	I
4-Fluoroisobutryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide) .....	9824	I
Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide) .....	9834	I

The company plans to manufacture small quantities of the listed controlled substances to make reference standards which will be distributed to its customers.

Dated: October 27, 2017.

**Demetra Ashley,**

*Acting Assistant Administrator.*

[FR Doc. 2017-24090 Filed 11-3-17; 8:45 am]

**BILLING CODE 4410-09-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (16-083)]

### Centennial Challenges: 3D-Printed Habitat Challenge

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of Centennial Challenges 3D-Printed Habitat Challenge Phase 3: On-Site Habitat Competition.

**SUMMARY:** The 3D-Printed Habitat (3DPH) Challenge Phase 3 On-Site Habitat Competition is open, and teams that wish to compete may now register. Centennial Challenges is a program of prize competitions to stimulate innovation in technologies of interest and value to NASA and the nation. The 3DPH Challenge Phase 3 On-Site Habitat Competition is a prize competition with a \$2,000,000 total prize purse to develop and demonstrate capabilities to autonomously manufacture through 3D-printing technologies a habitat on another planetary body using mission recycled materials and/or local indigenous materials. The Phase 3 competition consists of 5 levels. This technology demonstration competition has great potential value for terrestrial applications.

**DATES:** Challenge registration opens November 7, 2017, and will remain open until February 15, 2018. Early and Late registrations are available with discount or late fee respectively. Competitors will be allowed the option to participate in the Virtual Construction competitions levels 1 & 4 only with a reduced registration fee.

Other important dates:

May 16, 2018 Level 1: Virtual Construction Building Information Modeling (BIM)—60% Design Results due to Judges  
 July 11, 2018 Level 2: Foundation Test Results due to Judges  
 December 5, 2018 Level 3: Hydrostatic Test Results due to Judges  
 January 16, 2019 Level 4: Virtual Construction BIM—100% Design Results due to Judges  
 April 29—May 4, 2019 Level 5: Subscale Habitat Competition

**ADDRESSES:** The Level 5 On-Site Subscale Habitat Head-to-Head challenge competition will take place at Caterpillar Edwards Demonstration and Learning Center, 5801 N. Smith Rd., Edwards, IL 61528.

**FOR FURTHER INFORMATION CONTACT:** To register for or get additional information regarding the 3D Printed Habitat Challenge, please visit: <http://bradley.edu/challenge> For general information on the NASA Centennial Challenges Program please visit: <http://www.nasa.gov/challenges>. General questions and comments regarding the program should be addressed to Monsi Roman, Centennial Challenges Program, NASA Marshall Space Flight Center Huntsville, AL 35812. Email address: [hq-stmd-centennialchallenges@mail.nasa.gov](mailto:hq-stmd-centennialchallenges@mail.nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Summary

The 3DPH Challenge Phase 3 Competition (On-Site Habitat) follows earlier phases of the Challenge as described below.

- *Design Competition (Phase 1)*—focused on developing innovative habitat architectural concepts that take advantage of the unique capabilities that 3D-Printing offers (completed in 2015).

- *Structural Member Competition (Phase 2)*—focused on the core 3D-Printing fabrication technologies and materials properties needed to manufacture structural components from indigenous materials combined with recyclables, or indigenous materials alone (completed in 2017).

The current competition, Phase 3 (On-Site Habitat), will focus on the technology for autonomous 3D-printing and construction of a complete 1:3 subscale habitat (~10 m<sup>2</sup>). This competition will involve elements from Phase 1 design and Phase 2 materials to demonstrate the technology for autonomous construction needed for building a habitat on another planet or even on remote locations on Earth.

A Phase 4 competition (Full-Scale Habitat), calling for the development of an autonomous 3D-printed construction of a full-scale habitat (~93 m<sup>2</sup>), is planned to be announced at a later date.

#### I. Prize Amounts

The 3D Printed Habitat Challenge Phase 3 On-Site Habitat Competition purse is \$2,000,000 (two million dollars) to be disbursed as follows:

*Level 1: Virtual Construction BIM—60% Design*

\$100,000 total prize money to be awarded to top 5 qualifiers based on scoring, as articulated in the competition rules.

*Level 2: Foundation Test*

\$400,000 total prize money to be awarded to top 10 qualifiers based on scoring, as articulated in the competition rules.

*Level 3: Hydrostatic Test*

\$600,000 total prize money to be awarded to top 8 qualifiers based on scoring, as articulated in the competition rules.

*Level 4: Virtual Construction BIM—100% Design*

\$100,000 total prize money to be awarded to top 3 qualifiers based on scoring, as articulated in the competition rules.

*Level 5: Subscale Habitat Competition*

\$500,000 to first place  
 \$200,000 to second place  
 \$100,000 to third place

These awards will be made based on scoring, as articulated in the competition rules.