the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

JT Medical, LLC; Decision and Order

On September 29, 2025, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to JT Medical, LLC, of Lewistown, Pennsylvania (Applicant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 6. The OSC proposed the denial of Applicant's application for DEA registration, Control No. W17047690E, alleging that Applicant's registration would be inconsistent with the public interest. *Id.* at 1 (citing 21 U.S.C. 823(a)).

More specifically, the OSC alleged that Applicant could not provide a bona fide supply agreement and did not have ''a substantially secured cabinet to store marihuana.'' RFAAX 2, at 4 (citing 21 U.S.C. 822(f); 21 U.S.C. 823(a); 21 CFR 1301.71; 21 CFR 1301.72(a)(1)(ii); 21 CFR 1318.05(a)(1); 21 CFR 1318.05(b)(3)(i)). On November 24, 2025, the Government submitted an RFAA requesting that the Agency issue a default final order denying Applicant's application for registration. RFAA, at 1–3.

After carefully reviewing the entire record and conducting the analysis as set forth in detail below, the Agency [1] grants the Government's RFAA and denies Applicant's application for registration.

I. Default Determination

As a preliminary matter, the Agency finds that service of the OSC was adequate. On October 1, 2025, a DEA Diversion Investigator ''personally served'' the OSC on Applicant at its proposed place of business in Lewistown, Pennsylvania. RFAAX 3, at 1. At the time of service, Applicant's president, Mr. S.N., signed a Form DEA–12, Receipt for Cash or Other Items, acknowledging receipt of the OSC. RFAAX 3, at 1–2 & Appendix A.

Under 21 CFR 1301.43, an applicant entitled to a hearing who fails to file a timely hearing request ''within 30 days after the date of receipt of the [OSC] . . . shall be deemed to have waived their right to a hearing and to be in default'' unless ''good cause'' is established for the failure. 21 CFR 1301.43(a), (c)(1). In the absence of a demonstration of good cause, an applicant who fails to timely file an answer also is ''deemed to have waived their right to a hearing and to be in default.'' 21 CFR 1301.43(c)(2).

Here, the OSC notified Applicant of its right to file a written request for hearing and answer, and that if it failed to file such a request and answer, it would be deemed to have waived its right to a hearing and be in default. RFAAX 2, at 4–5 (citing 21 CFR 1301.43). Here, Applicant did not request a hearing or file an answer. RFAA, at 2. Accordingly, Applicant is in default. 21 CFR 1301.43(c)(1).

''A default, unless excused, shall be deemed to constitute a waiver of [Applicant's] right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e). Because Applicant is in default and has not moved to excuse the default, the Agency finds that Applicant has admitted to the factual allegations in the OSC. 21 CFR 1301.43(c)(1), (e), (f)(1).

Further, ''[i]n the event that [an applicant] . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] 1316.67.'' 21 CFR 1301.43(f)(1). Here, the Government has requested final agency action based on Applicant's default pursuant to 21 CFR 1301.43(c), (f)(1), and 1301.46. RFAA, at 2; *see also* 21 CFR 1316.67.

II. Applicable Law

The Controlled Substances Act (CSA) states that the Agency shall register an applicant to manufacture controlled substances in schedule I or II if such registration is determined to be ''consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971.'' 21 U.S.C. 823(a); *see* 21 CFR 1318.03(a); RFAAX 2, at 2. The CSA provides six factors the Agency must consider in determining the public interest in the context of registering a manufacturer of controlled substances in schedule I or II. 21 U.S.C. 823(a)(1)–(6); 21 CFR 1318.05(a)(1)–(6); RFAAX 2, at 2.

One of the CSA's required considerations is the ''maintenance of effective controls against diversion of particular controlled substances and any controlled substance in schedule I or II compounded therefrom into other than legitimate medical, scientific, research, or industrial channels, by limiting the importation and bulk manufacture of such controlled substances to a number of establishments which can produce an adequate and uninterrupted supply of these substances under adequately competitive conditions for legitimate medical, scientific, research, and industrial purposes.'' 21 U.S.C. 823(a)(1); 21 CFR 1318.05(a)(1); RFAAX 2, at 2.

DEA regulations further provide that in determining which applicants to grant a manufacturer registration, the Agency shall place ''particular emphasis'' on certain ''criteria'' when assessing the six public interest factors of 21 U.S.C. 823(a). 21 CFR 1318.05(b); RFAAX 2, at 3. Relevant here, DEA regulations direct the Agency to determine ''the number of qualified applicants necessary to produce an adequate and uninterrupted supply of cannabis under adequately competitive conditions.'' 21 CFR 1318.05(b)(3)(i); RFAAX 2, at 3. In making this determination, the Agency ''shall place particular emphasis on the extent to which any applicant is able to supply cannabis or its derivatives in quantities and varieties that will satisfy the anticipated demand of researchers and other registrants in the United States who wish to obtain cannabis to conduct activities permissible under the [CSA], as demonstrated through a bona fide supply agreement with a registered researcher or manufacturer as defined in this subpart.'' 21 CFR 1318.05(b)(3)(i); RFAAX 2, at 3.

In other words, the regulation directs the Agency to determine the number of qualified applicants necessary to produce an adequate supply of cannabis and, in doing so, to ''place particular emphasis'' on the extent to which a bona fide supply agreement demonstrates whether any individual applicant is capable of meeting demand. 21 CFR 1318.05(b)(3)(i); RFAAX 2, at 3; *MCRGC, LLC,* 90 FR 48431, 48432 (2025).

DEA regulations also establish various security requirements for the storage of controlled substances. 21 CFR 1301.71, .72; RFAAX 2, at 4. In general, DEA regulations require that ''[a]ll applicants and registrants shall provide effective controls and procedures to guard against theft and diversion of controlled substances,'' and that in order for DEA ''to determine whether a registrant has provided effective controls against diversion, the Administrator shall use the security requirements set forth in [21 CFR 1301.72–1301.76] as standards for the physical security controls and

[1] The CSA delegates authority to the Attorney General, who has delegated it to the Administrator of DEA (the Agency). 28 CFR 0.100.

operating procedures necessary to prevent diversion.'' 21 CFR 1301.71(a); RFAAX 2, at 4.

DEA regulations also establish specific security requirements for controlled substances in schedules I and II. 21 CFR 1301.72(a); RFAAX 2, at 4. Relevant here, these regulations require that the ''[r]aw material, bulk materials awaiting further processing, [and] finished products which are controlled substances listed in Schedule I or II . . . shall be stored in . . . a safe or steel cabinet . . . [w]hich safe or steel cabinet, if it weighs less than 750 pounds, is bolted or cemented to the floor or wall in such a way that it cannot be readily removed.'' 21 CFR 1301.72(a)(1)(ii); RFAAX 2, at 4.

III. Findings of Fact

In light of Applicant's default, the factual allegations in the OSC are deemed admitted.[2] 21 CFR 1301.43(e). Accordingly, Applicant admits that on or about May 22, 2017, Applicant's president submitted an application on behalf of Applicant to obtain a DEA registration as a manufacturer (bulk) in schedule I controlled substances (marihuana, marihuana extract, and tetrahydrocannabinol).[3] RFAAX 2, at 4; 21 CFR 1308.11(d)(23), (31), (58). Applicant further admits that it cannot provide a bona fide supply agreement and that it does not have ''a substantially secured cabinet to store marihuana.'' RFAAX 2, at 4.

IV. Discussion

Here, Applicant cannot provide a bona fide supply agreement, nor any other evidence, for the Agency to consider under 21 CFR 1318.05(b)(3)(i). RFAAX 2, at 4; 21 U.S.C. 823(a)(1); *MCRGC, LLC,* 90 FR at 48432. In addition, Applicant does not have a secured cabinet to store marihuana for the Agency to consider under 21 CFR 1301.71 and .72. RFAAX 2, at 4; 21 U.S.C. 823(a)(1). Therefore, these criteria[4] under Agency consideration weigh against Applicant. 21 U.S.C. 823(a)(1); 21 CFR 1301.71, .72; 21 CFR 1318.05(a), (b)(3)(i).

Considering the public interest factors of 21 U.S.C. 823(a), and specifically Applicant's failure to provide a bona fide supply agreement and have a secured cabinet to store schedule I controlled substances, the Agency determines that issuing Applicant a manufacturer registration (bulk) for marihuana would not be consistent with the public interest. Accordingly, the Agency will order the denial of Applicant's application for registration.[5]

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(a), I hereby deny the pending application for a DEA Certificate of Registration, Control No. W17047690E, submitted by JT Medical, LLC, as well as any other pending application of JT Medical, LLC, to amend or modify this application, or for additional registration in Pennsylvania. This Order is effective October 29, 2026.

Signing Authority

This document of the Drug Enforcement Administration was signed on September 8, 2026, by DEA Administrator Terrance C. Cole. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

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[2] According to the CSA, ''[f]indings of fact by the [DEA Administrator], if supported by substantial evidence, shall be conclusive.'' 21 U.S.C. 877. Here, where Applicant is found to be in default, all the factual allegations in the OSC are deemed to be admitted. These uncontested and deemed admitted facts constitute evidence that exceeds the ''substantial evidence'' standard of 21 U.S.C. 877; it is unrebutted evidence.

[3] A Notice of Applicant's application was published in the **Federal Register** on August 27, 2019. *Bulk Manufacturer of Controlled Substances Applications: Bulk Manufacturers of Marihuana,* 84 FR 44920, 44922 (2019); RFAAX 2, at 4.

[4] The burden is on the applicant to establish that its registration is consistent with the public interest. 21 CFR 1301.44(a); 21 CFR 1318.03(b); RFAAX 2, at 2. Here, by virtue of its default, Applicant has failed to present any evidence whatsoever to establish its registration is consistent with the public interest, and the deemed admitted facts (*i.e.,* the lack of a bona fide supply agreement and effective controls against diversion), weigh against a finding in favor of registration. Although the lack of a bona fide supply agreement and secured cabinet are only factors, they are dispositive here because Applicant's default means it not only waived the right to present evidence regarding these two factors, but it also waived the right to present any other evidence that its registration would be consistent with the public interest.

[5] Denial of Applicant's application in this Order does not prohibit Applicant from submitting an application through the new framework established for issuing registrations based on state licenses to handle marihuana for medical purposes, if applicable. *See Schedules of Controlled Substances: Rescheduling of Food and Drug Administration Approved Products Containing Marijuana From Schedule I to Schedule III; Corresponding Change to Permit Requirements,* 91 FR 22714, 22721 (2026) (adding paragraph (k) to 21 CFR 1301.13 ''establish[ing] an expedited review process for entities holding state medical marijuana licenses who seek registration as a marijuana manufacturer''); *see also id.* at 22722 (adding paragraphs (g)(2)–(4) to 21 CFR 1308.13 placing into schedule III marihuana, marihuana extract, and delta-9-tetrahydrocannabinols ''subject to a state medical marijuana license'').

DEPARTMENT OF JUSTICE

Executive Office for Immigration Review

[Dir. Order No. 10–2026]

Inflation Adjustment for EOIR OBBBA Fees for Certain DHS Forms; Fiscal Year 2027

AGENCY: Executive Office for Immigration Review, Department of Justice.

ACTION: Notice of inflationary fee adjustment.

SUMMARY: The Department of Justice (''Department'') is providing notice of statutorily required inflation adjustments to immigration-related fees for certain Department of Homeland Security (''DHS'') forms filed with the Executive Office for Immigration Review (''EOIR'') under the One Big Beautiful Bill Act for Fiscal Year (''FY'') 2027.

DATES: The fees announced in this notice are effective October 1, 2026.

FOR FURTHER INFORMATION CONTACT: Jamee E. Comans, Assistant Director, Office of Policy, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2500, Falls Church, VA 22041, telephone (703) 305–0289 (not a toll-free call).

SUPPLEMENTARY INFORMATION:

I. Background

On July 4, 2025, a Congressional budget reconciliation bill (H.R. 1), commonly referred to as the One Big Beautiful Bill Act (''OBBBA''), became law. Public Law 119–21, 139 Stat. 72. As relevant here, OBBBA introduced new required immigration-related fees for EOIR applications, motions, and appeals beginning in FY 2025 (''OBBBA fees'') and mandated that the Attorney General annually update these OBBBA fees for inflation. *See* 8 U.S.C. 1802, 1808, 1812.

Therefore, on August 21, 2026, the Department issued a final rule updating its regulations to make the required FY 2027 OBBBA inflation adjustments for the relevant EOIR forms and motions. *See* Inflation Adjustment for EOIR