

UNITED STATES OF AMERICA
BEFORE THE FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

_____))
In the Matter of:)) FDA DOCKET: 00N-1571
))
Enrofloxacin for Poultry: Withdrawal))
of Approval of Bayer Corporation's))
New Animal Drug Application))
(NADA) 140-828 (Baytril)))
_____))

ORDER

By requests dated March 17, and March 24, 2003, the Center for Veterinary Medicine (CVM) seeks permission to submit limited rebuttal evidence. Respondent Bayer Corporation and the Animal Health Institute filed a joint response in opposition thereto on March 31, 2003.

Upon consideration of the requests and the joint response, it appears that the testimony CVM is seeking to introduce does not properly qualify as rebuttal evidence.

Accordingly, the request to introduce limited rebuttal evidence is DENIED.

This 15th day of April, 2003.

s/s Daniel J. Davidson
Daniel J. Davidson
Administrative Law Judge