FINAL ORDER

This matter having been heard by the Commission upon the appeal of respondent from the Administrative Law Judge's initial decision, and upon briefs and oral argument in support thereof and in opposition thereto, and the Commission, for the reasons stated in the accompanying opinion, having concluded that the Administrative Law Judge's initial decision should be set aside and that the complaint should be dismissed:

It is ordered That the Administrative Law Judge's initial decision be, and it hereby is, set aside.

It is further ordered That the complaint be, and it hereby is, dismissed.

By the Commission, Commissioner Hanford not participating.[1]

Issued: May 14, 1974.

[SEAL] CHARLES A. TOBIN,
Secretary.

ORDER REQUIRING FILING OF SPECIAL REPORT

Pursuant to the Opinion of the Commission in the Matter of United Brands Company, Docket No. 8835, attached herewith and made a part hereof, you, United Brands Company, are required to file with the Commission, within sixty (60) days of receipt of this order, a Special Report informing the Commission of any increase, since February 11, 1971, in the access of United Brands or any subsidiary corporation, to land commerically suitable for the production of lettuce. You are further required to file with the Commission every six months, commencing six months after the filing of the initial Special Report, a Special Report informing the Commission of any future increase in access to land commercially suitable for the production of lettuce.

Please note that "access" to land may exist by virtue of various transactions, such as, but not necessarily limited to, purchasing land, acquiring the capital stock of a firm which is the owner or lessee of land, acquiring a lease of land, or contracting with a grower for the production of lettuce.

Said reports must be subscribed and sworn to by an official of the reporting company.

You are advised that penalties may be imposed under applicable provisions of Federal law for failure to file special reports or for the filing of false reports.

By direction of the Commission.

Issued: May 14, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.74-14097 Filed 6-19-74;8:45 am]

[1] Opinion of the Commission by Commissioner Engman and concurring opinion of Commissioner Thompson, filed as part of the original document.

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Picloram

In response to a food additive petition (FAP 4H5052) submitted jointly by the Montana Department of Agriculture, Helena, MT 59601, and the North Dakota Department of Agriculture, Bismarck, ND 58501, a notice was published by the Environmental Protection Agency in the FEDERAL REGISTER of May 6, 1974 (39 FR 15879), proposing establishment of the herbicide picloram (4-amino-3,5,6-trichloropicolinic acid) in flour at 1 part per million and in milled fractions (except flour) at 2 parts per million resulting from application of the herbicide to growing barley and wheat.

No requests for referral to an advisory committee were received. One comment was received from the State of Nebraska, Department of Agriculture, requesting that the proposed tolerances for picloram be extended to cover residues in the same processed foods resulting from the same use pattern in Nebraska.

It is concluded that the proposal reflecting this change be adopted. (For a related document, see this issue of the FEDERAL REGISTER, page 22146.)

The Reorganization Plan No. 3 of 1970, published in the FEDERAL REGISTER of October 6, 1970 (35 FR 15623), transferred (effective December 2, 1970) to the Administrator of the Environmental Protection Agency the functions vested in the Secretary of Health, Education, and Welfare for establishing tolerances for pesticide chemicals under sections 406, 408, and 409 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 346, 346a, and 348).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348 (d)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (39 FR 18805), part 121 is amended by adding the following new section to Subpart D:

§ 121.1256 Picloram.

The following interim tolerances are established for residues of the herbicide picloram (4-amino-3,5,6-trichloropicolinic acid) resulting from application of 2,4-D-picloram mixtures to growing barley and wheat during the 1974 growing season in the States of Montana, Nebraska, and North Dakota:

2 parts per million in milled fractions (except flour) of barley and wheat.

1 part per million in flour of barley and wheat.

Any person who will be adversely affected by the foregoing order may at any time on or before July 22, 1974, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on June 20, 1974.

(Sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d))

Dated: June 14, 1974.

HENRY J. KORP,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.74-14124 Filed 6-19-74;8:45 am]

SUBCHAPTER D—DRUGS FOR HUMAN USE

PART 331—ANTACID PRODUCTS FOR THE OVER-THE-COUNTER (OTC) HUMAN USE

PART 332—ANTIFLATULENT PRODUCTS FOR OVER-THE-COUNTER (OTC) HUMAN USE

Final Order for Antacid and Antiflatulent Products Generally Recognized as Safe and Effective and Not Misbranded

Correction

In FR Doc. 74-12666 appearing on page 19862 in the issue of Tuesday, June 4, 1974, make the following corrections:

1. On page 19864 change the second sentence in the fifth paragraph of the third column to read "The Commissioner concurs that an in vitro test should be adopted now and that research should promptly begin on an in vivo test."

2. On page 19874, the last two lines of the first column should read "(e.g., 2 grams per day in antacid products)."

3. The second line of § 331.22 should be changed to read "(NaOH) and hydrochloric acid (HCL)".

4. The third line of the formula appearing in § 331.26(b)(4)(ix) should be changed to read "(NaOH). Total mEq. per labeled minimum".

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Annual Publication

The Comprehensive Drug Abuse Prevention and Control Act of 1970, in section 202(a) (21 U.S.C. 812(a)), requires that the schedules of controlled sub-

stances established by the Act be updated and republished semi-annually for a two-year period beginning one year after the effective date of the Act (October 27, 1970), and thereafter shall be updated and republished annually. Therefore, pursuant to the mandate of section 202(a) of the Act, the Administrator of the Drug Enforcement Administration hereby orders the annual publication of the schedules of controlled substances for 1974.

In updating and republishing the five schedules of control, the Drug Enforcement Administration has become aware of a source of possible confusion which may arise from a reading of 21 CFR 1308.13(c) (38 FR 31310, November 13, 1973). That section, as amended, reads as follows:

§ 1308.13 Schedule III.

* * * * *

(c) *Depressants.* Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule 2351
(2) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository 2100

* * * * *

Confusion for some may arise in noticing that only one drug code number was assigned to each subpart of subsection (c), notwithstanding that subparts (1) and (2) each contain three separate controlled substances, i.e., amobarbital, secobarbital, and pentobarbital, and their salts. The Administrator finds that the assignment of the drug control numbers to subparts (1) and (2) differed from DEA's past and present practice, which is to assign a separate number to each individual controlled substance, done solely for the purpose of this agency's administrative efficiency and convenience primarily in the areas of manufacturers' registration and laboratory identification.

Therefore, to conform § 1308.13(c)(1) and (2) to the other sections of Part 1308 which list the schedules of controlled substances, and which designate a specific drug control number for each separate controlled substance listed therein, the Administrator of the Drug Enforcement Administration, under the authority vested in the Attorney General by sections 301 and 501(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 821 and 871(b)) and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations, hereby orders that:

1. Section 1308.13(c) (1) and (2) of Title 21 of the Code of Federal Regulations be amended to read as follows:

§ 1308.13 Schedule III.

* * * * *

(c) *Depressants.* Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture or preparation containing:
  (i) Amobarbital 2125
  (ii) Secobarbital 2315
  (iii) Pentobarbital 2270
  or any salt thereof and one or more active medicinal ingredients which are not listed in any schedule.
(2) Any suppository dosage form containing:
  (i) Amobarbital 2125
  (ii) Secobarbital 2315
  (iii) Pentobarbital 2270
  or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.

Effective date. The Administrator regards the above-ordered change in § 1308.13(c) (1) and (2) as a change in form only, and does not consider it to be a substantive rule-making change which would necessitate the solicitation and receipt of comments or objections. There being no occasion requiring the solicitation or receipt of such comments or objections, the above-ordered change shall take effect upon publication of this order. This order is effective on June 20, 1974, and operates to the extent of affecting only those sections of Part 1308 listed below, which actually designate schedules and enumerate substances listed therein as being controlled under the Act, and all other sections of Part 1308 remain in full force and effect and are not repealed by virtue of their exclusion from, or the issuing of, this publication.

Dated: June 12, 1974.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

Sections 1308.11 through 1308.15 are republished to read as follows:

SCHEDULES

§ 1308.11 Schedule I.

(a) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) Opiates. Unless specifically except the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetylmethadol 9601
(2) Allylprodine 9602
(3) Alphracetylmethadol 9603
(4) Alphameprodine 9604
(5) Alphamethadol 9605
(6) Benzethidine 9606
(7) Betacetylmethadol 9607
(8) Betameprodine 9608
(9) Betamethadol 9609
(10) Betaprodine 9611
(11) Clonitazene 9612
(12) Dextromoramide 9613
(13) Dextrorphan 9614
(14) Diampromide 9615
(15) Diethylthiambutene 9616
(16) Dimenoxadol 9617
(17) Dimepheptanol 9618
(18) Dimethylthiambutene 9619
(19) Dioxaphetyl butyrate 9621
(20) Dipipanone 9622
(21) Ethylmethylthiambutene 9623
(22) Etonitazene 9624
(23) Etoxeridine 9625
(24) Furethidine 9626
(25) Hydroxypethidine 9627
(26) Ketobemidone 9628
(27) Levomoramide 9629
(28) Levophenacylmorphan 9631
(29) Morpheridine 9632
(30) Noracymethadol 9633
(31) Norlevorphanol 9634
(32) Normethadone 9635
(33) Norpipanone 9636
(34) Phenadoxone 9637
(35) Phenampromide 9638
(36) Phenomorphan 9647
(37) Phenoperidine 9641
(38) Piritramide 9642
(39) Proheptazine 9643
(40) Properidine 9644
(41) Propiram 9649
(42) Racemoramide 9645
(43) Trimeperidine 9646

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine 9319
(2) Acetyldihydrocodeine 9051
(3) Benzylmorphine 9052
(4) Codeine methylbromide 9070
(5) Codeine-N-Oxide 9053
(6) Cyprenorphine 9054
(7) Desomorphine 9055
(8) Dihydromorphine 9145
(9) Drotebanol 9335
(10) Etorphine (except hydrochloride salt) 9056
(11) Heroin 9200
(12) Hydromorphinol 9301
(13) Methyldesorphine 9302
(14) Methyldihydromorphine 9304
(15) Morphine methylbromide 9305
(16) Morphine methylsulfonate 9306
(17) Morphine-N-Oxide 9307
(18) Myrophine 9308
(19) Nicocodeine 9309
(20) Nicomorphine 9312
(21) Normorphine 9313
(22) Pholcodine 9314
(23) Thebacon 9315

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which con-

tains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this paragraph only, the term "isomer" includes the optical, position, and geometric isomers):

(1) 3,4 - methylenedioxy amphetamine ---- 7400
(2) 5-methoxy - 3,4 - methylenedioxy amphetamine ---- 7401
(3) 3,4,5-trimethoxy amphetamine ---- 7390
(4) Bufotenine ---- 7433
Some trade and other names: 3-(β - dimethylaminoethyl)-5 - hydroxyindole; 3 - (2 - dimethylaminoethyl) - 5 - indolol; N,N - dimethylserotonin; 5 - hydroxy - N-dimethyltryptamine; mappine.
(5) Diethyltryptamine ---- 7434
Some trade and other names: N,N-Diethyltryptamine; DET.
(6) Dimethyltryptamine ---- 7435
Some trade or other names: DMT.
(7) 4-methyl-2,5-dimethoxyamphetamine ---- 7395
Some trade and other names: 4-methyl - 2,5 - dimethoxy-α-methylphenethylamine; "DOM"; and "STP".
(8) Ibogaine ---- 7260
Some trade and other names: 7 - Ethyl - 6,6α,7,8,9,10,12,13-octahydro - 2 - methoxy-6,9-methano-5H-pyrido (1',2':1, 2 azepino 4,5-b) indole; tab ernanthe iboga.
(9) Lysergic acid diethylamide ---- 7315
(10) Marihuana ---- 7360
(11) Mescaline ---- 7381
(12) Peyote ---- 7415
(13) N-ethyl-3-piperidyl benzilate ---- 7482
(14) N-methyl-3-piperidyl benzilate ---- 7484
(15) Psilocybin ---- 7437
(16) Psilocyn ---- 7438
(17) Tetrahydrocannabinols ---- 7370
Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:
Δ^1 cis or trans tetrahydrocannabinol, and their optical isomers.
Δ^6 cis or trans tetrahydrocannabinol, and their optical isomers.
$\Delta^{8,4}$ cis or trans tetrahydrocannabinol, and their optical isomers.
(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic position are covered.)
(18) 2,5-dimethoxyamphetamine ---- 7396
Some trade or other names: 2,5-dimethoxy - α - methylphenethylamine: 2,5-DMA.
(19) 4 - bromo-2,5-dimethoxyamphetamine ---- 7391
Some trade or other names: 4-bromo - 2,5 - dimethoxy - α - methylphenethylamine: 4-bromo-2,5-DMA.
(20) 4-methoxyamphetamine ---- 7411
Some trade or other names: 4-methoxy - α - methylphenethylamine; paramethoxyamphetamine: PMA.

§ 1308.12 Schedule II.

(a) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.

(b) Substances, vegetable origin or chemical synthesis. Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding naloxone hydrochloride, but including the following:

(i) Raw opium ---- 9600
(ii) Opium extracts ---- 9610
(iii) Opium fluid extracts ---- 9620
(iv) Powdered opium ---- 9639
(v) Granulated opium ---- 9640
(vi) Tincture of opium ---- 9630
(vii) Apomorphine ---- 9030
(viii) Codeine ---- 9050
(ix) Ethylmorphine ---- 9190
(x) Etorphine hydrochloride ---- 9059
(xi) Hydrocodone ---- 9193
(xii) Hydromorphone ---- 9150
(xiii) Metopon ---- 9260
(xvi) Morphine ---- 9300
(xv) Oxycodone ---- 9143
(xvi) Oxymorphone ---- 9652
(xvii) Thebaine ---- 9333

(2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (b) (1) of this section, except that these substances shall not include the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves (9040) and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine (9041) or ecgonine (9180).

(c) Opiates. Unless specifically excepted or unless in another schedule any of the following opiates, including its isomers, esters, ethers, salts and salts of isomers, esters and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Alphaprodine ---- 9010
(2) Anileridine ---- 9020
(3) Bezitramide ---- 9800
(4) Dihydrocodeine ---- 9120
(5) Diphenoxylate ---- 9170
(6) Fentanyl ---- 9801
(7) Isomethadone ---- 9226
(8) Levomethorphan ---- 9210
(9) Levorphanol ---- 9220
(10) Metazocine ---- 9240
(11) Methadone ---- 9250
(12) Methadone-Intermediate, 4-cyano-2-dimethylamino - 4,4-diphenyl butane ---- 9254
(13) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid ---- 9802
(14) Pethidine ---- 9230
(15) Pethidine-Intermediate-A, 4-cyano- 1 -methyl- 4 -phenylpiperidine ---- 9232
(16) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine- 4 -carboxylate ---- 9233
(17) Pethidine - Intermediate - C, 1-methyl- 4 -phenylpiperidine- 4 - carboxylic acid ---- 9234
(18) Phenazocine ---- 9715
(19) Piminodine ---- 9730
(20) Racemethorphan ---- 9732
(21) Racemorphan ---- 9733

(d) *Stimulants.* Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers ---- 1100
(2) Methamphetamine, its salts, isomers, and salts of its isomers ---- 1105
(3) Phenmetrazine and its salts ---- 1631
(4) Methylphenidate ---- 1724

(e) *Depressants.* Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Methaqualone ---- 2565
(2) Amobarbital ---- 2125
(3) Secobarbital ---- 2315
(4) Pentobarbital ---- 2270

§ 1308.13 Schedule III.

(a) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) *Stimulants.* Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under § 308.32, and any other drug of the quantitive composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances ---- 1405

(2) Benzphetamine 1228
(3) Chlorphentermine 1645
(4) Clortermine 1647
(5) Mazindol 1605
(6) Phendimetrazine 1615

(c) *Depressants.* Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture or preparation containing:
(i) Amobarbital 2125
(ii) Secobarbital 2315
(iii) Pentobarbital 2270
or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.
(2) Any suppository dosage form containing:
(i) Amobarbital 2125
(ii) Secobarbital 2315
(iii) Pentobarbital 2270
or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.
(3) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof 2100
(4) Chlorexadol 2510
(5) Glutethimide 2550
(6) Lysergic acid 7300
(7) Lysergic acid amide 7310
(8) Methyprylon 2575
(9) Phencyclidine 7471
(10) Sulfondiethylmethane 2600
(11) Sulfonethylmethane 2605
(12) Sulfonmethane 2610

(d) Nalorphine 9400

(e) Narcotics drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than 1.8 grams of codeine per 100 milliliters of not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium 9803
(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts 9804
(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium 9805
(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts 9806
(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts 9807
(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts 9808
(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts 9809
(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts 9810

§ 1308.14 Schedule IV.

(a) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) *Depressants.* Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Barbital 2145
(2) Chloral betaine 2460
(3) Chloral hydrate 2465
(4) Ethchlorvynol 2540
(5) Ethinamate 2545
(6) Methohexital 2264
(7) Meprobamate 2820
(8) Methylphenobarbital 2250
(9) Paraldehyde 2585
(10) Petrichloral 2591
(11) Phenobarbital 2285

(c) Fenfluramine. — Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

(1) Fenfluramine 1670

(d) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Diethylpropion 1608
(2) Phentermine 1640

§ 1308.15 Schedule V.

(a) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

[FR Doc.74-14116 Filed 6-19-74;8:45 am]

Title 32A—National Defense Appendix

CHAPTER VI—DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION, DEPARTMENT OF COMMERCE

[DIBA/BDC Notice 1]

BDC NOTICE 1—RATIFICATION OF BUREAU OF COMPETITIVE ASSESSMENT AND BUSINESS POLICY ACTIONS

JUNE 14, 1974.

This notice is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this notice, consultation with industry representatives was impracticable since the notice has no substantive effect on industry.

Sec.
1. What this notice does.
2. Existing regulations, orders, and other actions of the Bureau of Competitive Assessment and Business Policy.
3. Rescission of BCABP Notice 1.
4. Use of Bureau of Competitive Assessment and Business Policy and Business and Defense Services Administration forms.

AUTHORITY: Defense Production Act of 1950, as amended (64 Stat. 816; 50 U.S.C. App. 2061 et seq.); Executive Order 10480, as amended, 18 FR 4939, 6201, 19 FR 3807, 7249, 21 FR 1673, 23 FR 5061, 6971, 24 FR 3779, 27 FR 9683, 11447, 3 CFR 1949–1953 Comp., p. 919; Executive Order 11725, 38 FR 17175; DMO 8400.1, 32A CFR 15; Department of Commerce Organization Order 10–3, 38 FR 33624, and 40–1, 39 FR 1871; Department of Commerce, Domestic and International Business Administration Organization and Function Orders 41–1, as amended, 39 FR 2780, 39 FR 18490, 45–1, 39 FR 18488, and 45–2, 39 FR 18489.

Section 1. What this notice does.

The purpose of this notice is to furnish continuity in the defense mobilization activities of the United States Department of Commerce, Domestic and International Business Administration, Bureau of Domestic Commerce, which will exercise certain functions formerly handled by the Bureau of Competitive Assessment and Business Policy, the Bu-

reau of Domestic Commerce, the Business and Defense Services Administration, and the National Production Authority. To accomplish a smooth transition, it provides that outstanding actions of the Bureau of Competitive Assessment and and Business Policy, the Bureau of Domestic Commerce, the Business and Defense Services Administration and the National Production Authority are ratified and deemed actions of the Domestic and International Business Administration, Bureau of Domestic Commerce. This notice supersedes BCABP Notice 1 of September 7, 1973.

Sec. 2. Existing regulations, orders, and other actions of the Bureau of Competitive Assessment and Business Policy.

All regulations, orders, and delegations of authority to other Government agencies or officials thereof, shown in List A of this notice, and all other actions (including but not limited to directives), which were issued or taken by or under authority of the Acting Deputy Assistant Secretary for Competitive Assessment and Business Policy, the Director of the Bureau of Domestic Commerce, the Administrator of the Business and Defense Services Administration or the Administrator of the National Production Authority and which were in existence at the close of business November 11, 1973, are hereby adopted, ratified, and confirmed by the Deputy Assistant Secretary for Domestic and International Business, Domestic and International Business Administration, and shall remain in full force and effect until they expire by their terms or are revoked or amended. Any references in such actions to the Acting Deputy Assistant Secretary for Competitive Assessment and Business Policy or the Bureau of Competitive Assessment and Business Policy, to the Director of the Bureau of Domestic Commerce or the Bureau of Domestic Commerce, to the Administrator of the Business and Defense Services Administration or the Business and Defense Services Administration, or to the Administrator of the National Production Authority or the National Production Authority shall be deemed references to the Deputy Assistant Secretary for Domestic and International Business or the Domestic and International Business Administration, Bureau of Domestic Commerce, as the case may be.

Sec. 3. Rescission of BCABP Notice 1.

This DIBA/BDC Notice 1 supersedes BCABP Notice 1 of September 7, 1973, which is hereby rescinded.

Sec. 4. Use of Bureau of Competitive Assessment and Business Policy or Business and Defense Services Administration forms.

Pending the preparation and adoption of revised forms, and until otherwise ordered or prescribed, forms of the Bureau of Competitive Assessment and Business Policy or the Business and Defense Services Administration shall be deemed forms of the Domestic and International Business Administration, Bureau of Domestic Commerce.

This notice shall take effect June 14, 1974.

Domestic and International Business Administration, Bureau of Domestic Commerce.

JOHN M. DUNN,
Deputy Assistant Secretary for Domestic and International Business.

LIST A OF DIBA/BDC NOTICE 1

EXISTING BDC, BCABP AND BDSA ACTIONS

Regulations

Basic Rules of Priorities System:
- DPS Regulation 1 (as amended March 23, 1953) (formerly BDSA Regulation 3 18 FR 1684.
  - Amendment 1 (May 9, 1958) (formerly BDSA Regulation 2, Amendment 5) 23 FR 3273.
  - Amendment 2 (April 27, 1960) (formerly BDSA Regulation 2, Amendment 6) 25 FR 3820.
  - Amendment 3 (July 21, 1964) (formerly BDSA Regulation 2, Amendment 7) 29 FR 10461.
  - Amendment 5 (December 3, 1970) 35 FR 19575.
  - Amendment 6 (July 1, 1971) 36 FR 12741.
  - Amendment 7 (February 4, 1974) 39 FR 4478.
- Direction 2 (June 29, 1956) (formerly BDSA Regulation 2, Direction 7) 29 FR 4911.
- Direction 2, Amendment 1 (May 9, 1958) (formerly BDSA Regulation 2, Direction 7, Amendment 1) 23 FR 3272.
- Direction 3 (January 18, 1957) (formerly BDSA Regulation 2, Direction 8) 22 FR 474.
- Direction 4 (August 15, 1967) (formerly BDSA Regulation 2, Direction 11) 32 FR 11734.
- 1953) (formerly BDSA Regulation 2 18

Operations of the Priorities and Allocations Systems Between Canada and the United States:
- DPS Regulation 2 (February 1, 1956) (formerly BDSA Regulation 3) 21 FR 787.

Compliance and Enforcement Procedures:
- DPS Regulation 3 (May 15, 1956) (formerly BDSA Regulation 8) 21 FR 3254.

Basic Rules of the Defense Materials System:
- DMS Regulation 1 (as amended December 1, 1959) 24 FR 9595.
  - Amendment 1 (March 15, 1966) (formerly DMS Regulation 1, Amendment 2) 31 FR 4594.
  - Amendment 3 (July 1, 1971) 36 FR 12742.
- Direction 1 (December 1, 1959) 24 FR 9607.
- Direction 2 (December 1, 1959) 24 FR 9607.
- Direction 3 (December 1, 1959) 24 FR 9608.
- Direction 3, Amendment 1 (July 1, 1971) 36 FR 12742.

Orders

Metalworking Machines:
- DPS Order 1 (as amended May 24, 1963) (formerly BDSA Order M-41) 28 FR 5295.

Iron and Steel:
- DMS Order 1 (as amended August 14, 1970) (formerly BDSA Order M-1A) 35 FR 12897.
  - Amendment 1 (July 1, 1971) 36 FR 12742.

Nickel Alloys:
- DMS Order 2 (June 29, 1956) (formerly BDSA Order M-1B) 21 FR 4914.
  - Amendment 1 (August 17, 1956) (formerly BDSA Order M-1B, Amendment 1) 21 FR 6227.
  - Amendment 2 (January 20, 1958) (formerly BDSA Order M-1B, Amendment 2) 23 FR 383.
  - Amendment 3 (July 1, 1971) 36 FR 12743.

Aluminum:
- DMS Order 3 (May 6, 1953) (formerly BDSA Order M-5A) 18 FR 2639.
  - Amendment 1 (December 31, 1956) (formerly BDSA Order M-5A, Amendment 1) 22 FR 32.
  - Amendment 2 (January 20, 1958) (formerly BDSA Order M-5A, Amendment 2) 23 FR 383.
  - Amendment 3 (July 1, 1971) 36 FR 12743.

Copper and Copper-Base Alloys:
- DMS Order 4 (as amended October 28, 1966) (formerly BDSA Order M-11A) 31 FR 13852.
  - Amendment 1 (July 1, 1971) 36 FR 12744.
  - Schedule A (Revised as of May 15, 1972) (formerly Schedule A to BDSA Order M-11A) 36 FR 10440.

Delegations

Delegation of Authority to Secretary of Defense:

BDC Delegation 1 (as amended May 31, 1960) (formerly BDSA Delegation 1) 25 FR 5788.

Delegation of Authority to Atomic Energy Commission:

BDC Delegation 2 (as amended May 31, 1960) (formerly BDSA Delegation 2) 25 FR 5789.

Delegation of Authority to Administrator of General Services Administration:

BDC Delegation 3 (May 16, 1972) (formerly BDSA Delegation 3) 37 FR 10456.

Emergency Delegation of Priorities and Allocation Powers:

BDC Emergency Delegation 1 (Revised as of April 18, 1972) (formerly BDSA Emergency Delegation 1) 37 FR 8681.

Notice

Designation of BDC Actions to Be Taken Under the Authority of the Defense Production Act of 1950, as amended:

DIBA/BDC Notice 1 (June 14, 1974) 39 FR 22143

DIBA/BDC Notice 2 (June 14, 1974) 39 FR 22144

BDC Notice 3 (November 30, 1970) 35 FR 18279

[FR Doc.74-14088 Filed 6-19-74;8:45 am]

[DIBA/BDC Notice 2]

DIAB/BDC NOTICE 2—SIGNATURE OF OFFICIAL DIBA/BDC ACTIONS

JUNE 14, 1974.

This notice is found necessary in order to bring procedural practices into conformity with the provisions of Commerce Department Organization Order 10-3, as amended, 38 FR 33624, which abolished the Bureau of Competitive Assessment and Business Policy and assigned its functions to the Domestic and International Business Administation which was established as a primary operating unit of the Department of Commerce. Order 10-3 also established the Bureau of Domestic Commerce as a main line component of the Domestic and International Business Administration. Department of