

# Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

## DEPARTMENT OF JUSTICE

Drug Enforcement Administration  
[ 21 CFR Part 308 ]

### BARBITURIC ACID DERIVATIVES AND SALTS

#### Proposed Transfer From Schedule III to Schedule II; Extension of Comment Period

A notice was published in the FEDERAL REGISTER on May 31, 1973 (28 FR 14289) proposing the transfer of amobarbital, butabarbital, cyclobarbital, heptabarbital, pentobarbital, probarbital, secobarbital, talbutal, and vinbarbital, and their salts, from Schedule III to Schedule II of the Controlled Substances Act.

Due to a delay in publication of the notice, less than 30 days was provided during which interested persons could comment. In order to correct this situation, the Director of the Bureau of Narcotics and Dangerous Drugs ordered an extension of time for filing comments to July 3, 1973. Because of additional delays in publication, a notice of extension was not published in the FEDERAL REGISTER until July 3, 1973, thereby rendering the extension ineffective. In order to provide adequate time for additional comments, the Administrator of the Drug Enforcement Administration, successor agency to the Bureau of Narcotics and Dangerous Drugs, hereby extends the time for filing until July 18, 1973.

All comments, objections, or requests for hearings must be received no later than July 18, 1973. In the event a hearing is held, the date of the hearing will be August 2, 1973, at 10:00 a.m., in Room 1210, 1405 Eye Street NW., Washington, D.C. 20537.

Dated: July 6, 1973.

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

[FR Doc.73-14216 Filed 7-10-73;8:45 am]

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service  
[ 7 CFR Part 917 ]

### FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

#### Notice of Proposed Rulemaking

This notice invites written comments relative to the continuation of Pear Regulation 3 (§ 917.432; 38 FR 17182). This regulation requires that all California Bartlett Max-Red Bartlett, Red Bartlett, and Rosired Bartlett variety pears shipped in interstate commerce grade at

least U.S. Combination, with not less than 80 percent grading U.S. No. 1 grade. It also requires that such pears be not smaller than 165 size, except that not to exceed 5.263 percent may be smaller but not smaller than 180 size, and provides that containers of such pears shall be marked with the variety name or the words "unknown variety". The Pear Commodity Committee, in proposing continuance, reflected that in order to assure consumers of an appropriate supply of quality fruit during 1973 such regulation should encompass the entire shipping and harvesting season for California Bartletts.

Consideration is being given to the following proposal, submitted by the Pear Commodity Committee, established pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh pears, plums, and peaches grown in California. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposal is to amend § 917.432 (Pear Regulation 3; 38 FR 17182) to continue the effective period of such regulation through July 31, 1974. Unless so amended the regulation would end August 4, 1973.

As proposed to be amended § 917.432 paragraph (a) would read as follows:  
§ 917.432 Pear Regulation 3.

(a) *Order.* During the period July 5, 1973 through July 31, 1974, no handler shall ship:

Dated: July 5, 1973.

CHARLES R. BRADER,  
Acting Deputy Director, Fruit  
and Vegetable Division, Agricultural  
Marketing Service.

[FR Doc.73-14072 Filed 7-10-73;8:45 am]

## Commodity Exchange Authority

[ 17 CFR Part 1 ]

### CONTRACT MARKET RULE ENFORCEMENT

#### Proposed Requirements

Notice is hereby given in accordance with administrative procedure provisions of 5 U.S.C. 553 that the Secretary of Agriculture, pursuant to the authority of Sections 5a and 8a of the Commodity Exchange Act (7 U.S.C. 7a and 12a), is considering adding a new § 1.51 to Part 1 of the regulations under the Commodity Exchange Act (17 CFR Part 1) to read

as set forth below. The purpose of the proposed regulation is to set forth the requirements for programs by the contract markets for enforcement of the provisions of the Act specified below and of their bylaws, rules, regulations, and resolutions referred to therein. Some contract markets are maintaining a passive attitude toward such enforcement while others are failing to diligently seek out violations in certain areas.

#### § 1.51 Contract market program for enforcement.

(a) Each contract market shall use due diligence in maintaining a continuing affirmative action program to secure compliance with all of the provisions of sections 5, 5a, 5b, 6(a) and 6b of the Act (7 U.S.C. 7, 7a, 7b, 8, 13a) and with all of the contract market's bylaws, rules, regulations and resolutions referred to therein. Such program shall include:

(1) Surveillance of market activity for indication of possible congestion or other market situation conducive to possible price distortion;

(2) Surveillance of trading practices on the floor of such contract market;

(3) Examination of the books and records kept by contract market members relating to their business of dealing in commodity futures and cash commodities;

(4) Investigation of complaints received from customers concerning the handling of their accounts or orders;

(5) Investigation of all other alleged or apparent violation of such bylaws, rules, regulations and resolutions; and

(6) Such other surveillance, record examination and investigation as is necessary to enforce such bylaws, rules, regulations and resolutions; and

(7) A procedure which results in the taking of prompt, effective disciplinary action for any violation which is found to have been committed.

(b) Each contract market shall keep full, complete, and systematic records which will clearly set forth all action taken as a part of, and as a result of, its program required under paragraph (a) of this section.

If any interested person desires a hearing with reference to this proposed regulation, he should make a request to that effect stating the reasons therefor, addressed to the Administrator, Commodity Exchange Authority, U.S. Department of Agriculture, Washington, D.C. 20250, on or before August 27, 1973.

Written statements with reference to the subject matter of this proposal may be submitted by an interested person. Such statements should be mailed to the