

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 THE TREASURY

Customs Service

[19 CFR Part 151]

EXAMINATION, SAMPLING, AND TESTING OF MERCHANDISE

Entry for Petroleum or Petroleum Products in Bulk

Notice is hereby given that under the authority of R.S. 251, as amended (19 U.S.C. 66), and section 624, 46 Stat. 759 (19 U.S.C. 1624), it is proposed to amend § 151.41 of the Customs Regulations to require that American Society for Testing and Materials Petroleum Measurement Table No. 6, rather than Table No. 7, be used in computing the information which importers are required to show on the entry for petroleum or petroleum products in bulk.

The United States Customs Service has received a recommendation from the American Petroleum Institute that the use of Table No. 7, ASTM-IP Petroleum Measurement Tables, referred to in section 151.41, Customs Regulations, be discontinued, and that Table No. 6 (of which Table No. 7 is an abridged version) be used instead, in reducing the results of petroleum volume measurements to the standard temperature of 60° Fahrenheit. The use of Table No. 6 yields more precise data, and avoids certain anomalies encountered in the application of Table No. 7.

The American Petroleum Institute points out that virtually all of the major oil companies have adjusted their accounting procedures to accommodate the use of Table No. 6, and that Table No. 6 is used, either exclusively or optionally, by 38 of the States in their regulations pertaining to oil conservation, and/or weights and measures. Customs has also received informal suggestions from individual importers advocating the use of Table No. 6.

Accordingly, it is proposed to amend § 151.41 of the Customs Regulations (19 CFR 151.41) to read as follows:

§ 151.41 Information on entry.

On the entry for petroleum or a petroleum product in bulk, the importer shall show the API gravity at 60° Fahrenheit, in accordance with the ASTM-IP Petroleum Measurement Tables (American Edition), published by the American Society for Testing and Materials. The unabridged Table (Table No. 6) shall be used in the reduction of volume to 60° F. If the exact quantity cannot be determined in advance, entry may be made for "----- United States gallons, more or less." The information required by this section shall also be shown on the permit and summary sheet.

Prior to the adoption of this amendment, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229, and received on or before December 24, 1973.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR 103.8(b)), at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C., during regular business hours.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

Approved: November 13, 1973.

EDWARD L. MORGAN,
Assistant Secretary of the
Treasury.

[FR Doc.73-24891 Filed 11-21-73;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[21 CFR Part 1308]

ETORPHINE

Transfer to Schedule II

Based upon the investigations of the Drug Enforcement Administration and upon the scientific and medical evaluation and recommendation of the Secretary of Health, Education, and Welfare, received pursuant to section 201(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(b)), the Administrator of the Drug Enforcement Administration finds that etorphine hydrochloride:

- (1) Has a high potential for abuse;
- (2) Has a currently accepted medical use in treatment in the United States with severe restrictions; and
- (3) May, if abused, lead to severe psychological or physical dependence.

As a condition to the initiation of distribution of etorphine hydrochloride the Drug Enforcement Administration, in concert with the Food and Drug Administration, the Special Action Office of Drug Abuse Prevention, the American Cyanamid Company (the holder of the New Animal Drug Application) and the D-M Pharmaceuticals, Inc. (the firm marketing the product under the NADA), have promulgated and agreed to the following procedures:

1. The distribution of the drug is restricted to licensed veterinarians engaged in zoo and exotic animal practice, wild life management programs, and/or research.
2. All initial customers will be checked by the Drug Enforcement Administration to in-

sure that they are properly authorized to handle the substances and are prepared to adhere to the special safeguards set forth.

3. DEA order forms for etorphine hydrochloride (and Diprenorphine, its antidote) will contain only these substances. D-M Pharmaceuticals, Inc. will maintain these separately from its other order forms and will forward the government copy of these order forms on a weekly basis to DEA.

4. All registrants desiring to handle etorphine hydrochloride will be required to use a safe or steel cabinet equivalent to a U.S. Government Class V security container.

5. All authorized registrants handling etorphine hydrochloride will be required to maintain complete and accurate records to insure complete accountability of the substance.

6. Quantities ordered and shipped should be limited to reasonable amounts as needed to avoid storage of large quantities and increased vulnerability of theft.

7. The shipment of etorphine hydrochloride should be under secure conditions using substantial packaging material with no markings on the outside of the package which would indicate the content. Shipment should be by the most secure means of transport available.

Except for etorphine hydrochloride, all isomers, esters, ethers, salts of etorphine, and salts of such isomers, esters, and ethers (whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation) remain in Schedule I. The peculiar characteristics of this substance necessitate the transfer to Schedule II of the hydrochloride salt only.

On July 3, 1973 (38 FR 17717), the Administrator of the Drug Enforcement Administration ordered that 21 CFR 1308.11(c) be amended by adding a new item, Drotebanol. The proposed amendment to § 1308.11(c) would renumber the items therein to place Drotebanol in alphabetical order with the other controlled substances.

Therefore, under the authority vested in the Attorney General by section 201 (a) of the Comprehensive Drug Abuse Prevention & Control Act of 1970 (21 U.S.C. 811(a)), and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations (see 38 FR 18380, July 2, 1973) the Administrator proposes that:

a. Section 1308.11 of 21 CFR be amended by revising paragraph (c) (9)-(23) to read:

§ 1308.11 Schedule I

	* * * * *	
(c) * * *		
(9) Drotebanol -----		9335
(10) Etorphine (except hydrochloride salt) -----		9056
(11) Heroin -----		9200
(12) Hydromorphanol -----		9301

(13) Methyldesorphine	9802
(14) Methyldihydromorphine	9804
(15) Morphine methylbromide	9806
(16) Morphine methylsulfonate	9808
(17) Morphine-N-Oxide	9807
(18) Myrophine	9808
(19) Niccodine	9809
(20) Nicomorphine	9812
(21) Normorphine	9813
(22) Pholcodine	9814
(23) Thebacon	9815

b. Section 1308.12 of 21 CFR be amended by revising (b) (1) to read:

§ 1308.12 Schedule II

(b) * * *

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium of 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	9194
(xiii) Metopon	9260
(xiv) Morphine	9300
(xv) Oxycodone	9143
(xvi) Oxymorphone	9652
(xvii) Thebaine	9333

All interested persons are invited to submit their comments or objections in writing regarding this proposal. These comments or objections should state with particularity the issues concerning which the person desires to be heard. Comments and objections should be submitted in quintuplicate to the Hearing Clerk, Office of Chief Counsel, Drug Enforcement Administration, Department of Justice, Room 611, 1405 I Street NW., Washington, D.C. 20537, and must be received no later than December 20, 1973.

In the event that an interested party submits objections to this proposal which present reasonable grounds for this rule not to be finalized and requests a hearing in accordance with 21 CFR 1308.45, the party will be notified by registered mail held at the time and place set forth in the letter. A notice of hearing will simultaneously be published in the FEDERAL REGISTER. If objections submitted do not present such reasonable grounds, the party will so be advised by registered mail.

If no objections presenting reasonable grounds for a hearing on the proposal are received within the time limitations, and all interested parties waive or are deemed to waive their opportunity for the hearing or to participate in the hearing, the Administrator may cancel the hearing and, after giving consideration to written comments, issue his final order pursuant to 21 CFR 1308.48 without a hearing.

Dated: November 15, 1973.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.
[FR Doc.73-24920 Filed 11-21-73;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[43 CFR Part 421]

HOOVER DAM

Rules of Conduct

The Bureau of Reclamation is proposing to add a new Part 421 to 43 CFR, Chapter I, Subchapter B. The new part will promulgate regulations governing conduct on the facilities and grounds of Hoover Dam, located on the Colorado River in Arizona and Nevada.

Under authority of the Act of June 1, 1948 (62 Stat. 281, as amended; 40 U.S.C. 318), and the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, the Administrator of General Services has authorized the Secretary of the Interior to: (1) Appoint uniformed guards as special policemen to assist in visitor control and protection of Government property at Hoover Dam; and (2) make all needful rules and regulations for the protection of persons and property at Hoover Dam and annex such reasonable penalties (not to exceed those prescribed in 40 U.S.C. 318c) as will ensure their enforcement (38 FR 23838). The Secretary of the Interior has redelegated this authority to the Commissioner of Reclamation (38 FR 27945).

Hoover Dam is a major tourist attraction, with more than 600,000 visitors annually. It represents an investment of over \$175 million, provides an important source of hydroelectric power for the Arizona-Nevada-Southern California area, and controls the flow of the lower Colorado River. The proposed regulations will be applicable to all structures, buildings, and grounds at Hoover Dam which are situated on lands over which the United States has concurrent legislative jurisdiction, and to all persons while in or on such property.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule-making process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulations to the Commissioner of Reclamation, Department of the Interior, 18th and C Streets NW., Washington, D.C. 20240; or to the Regional Director, Lower Colorado Region, Box 427, Boulder City, Nevada 89005. All such submissions received on or before January 7, 1973.

Dated November 16, 1973.

E. F. SULLIVAN,
Acting Commissioner
of Reclamation.

PART 421—RULES OF CONDUCT AT HOOVER DAM

Sec. 421.1	Applicability.
421.2	Preservation of property.
421.3	Conformity with signs and emergency directions.

Sec. 421.4	Disturbances.
421.5	Vehicular and pedestrian traffic.
421.6	Gambling.
421.7	Alcoholic beverages and narcotics.
421.8	Soliciting, vending, and advertising.
421.9	Distribution of handbills.
421.10	Weapons and explosives.
421.11	Audio devices.
421.12	Abandoned and unattended property.
421.13	Closing of areas.
421.14	Nondiscrimination.
421.15	Penalties and other laws.

AUTHORITY: 62 Stat. 281, as amended (40 U.S.C. 318; 63 Stat. 377, as amended; 38 FR 23838 and 38 FR 27945).

§ 421.1 Applicability.

These rules and regulations apply to Hoover Dam and all structures, buildings, and grounds appurtenant thereto which are situated on lands over which the United States has concurrent legislative jurisdiction, and to all persons entering in or on such property.

§ 421.2 Preservation of property.

The following are prohibited: the improper disposal of rubbish; the creation of any hazard to persons or things; the throwing of articles of any kind from the roadway, walks, or guardrails across the top of the dam, from the parking areas or visitor observation points, or from any other structure or building; the climbing upon the guardrails of the dam or upon the roof or any part of any building or structure; and the willful destruction, damage, or removal of property or any part thereof.

§ 421.3 Conformity with signs and emergency directions.

Official signs of a prohibitory or directory nature and the directions of uniformed police officers shall be complied with.

§ 421.4 Disturbances.

The following conduct is prohibited: that which is disorderly; which creates loud and unusual noise; which obstructs the usual use of roadways, parking lots, observation points, entrances, foyers, corridors, walkways, elevators, stairways, offices, and other work areas; which otherwise tends to impede or disturb the general public in viewing the property or obtaining the services available thereon; or which tends to impede or disturb public or contractor employees in the performance of their duties.

§ 421.5 Vehicular and pedestrian traffic.

(a) Vehicle operators shall drive in a careful and safe manner at all times and shall comply with the signals and directions of uniformed police officers and all posted traffic signs.

(b) Vehicles shall not block entrances, driveways, walks, loading platforms, or fire hydrants.

(c) Vehicles shall not be parked in unauthorized locations, in locations reserved for specific uses, continuously in excess of 25 hours without permission, or contrary to the direction of posted signs (see 43 CFR 421.12), or contrary to the direction of uniformed police officers.

(d) Pedestrians shall use the walkways on the dam and designated crosswalks, and shall not walk in the vehicle lanes.