

under the blanket certificate to a buyer subject to the incremental pricing provisions of Title II of the NGPA and Part 282 of this chapter, the selling pipeline shall receive an undertaking from the buyer to price incrementally the gas sold to the same extent required for transactions authorized under section 311(b) or 312 of the NGPA.

(4) *Volumetric test.* The volumes of natural gas sold or assigned under the blanket certificate may not exceed the volumes obtained from sources other than interstate supplies.

(5) *Filings.* Any filings made with the Commission that report individual transactions shall reference the docket number of the proceeding in which the blanket certificate was granted.

(6) *Tariff filings.* (i) The tariff filing requirements of Part 154 of this chapter shall not apply to transactions authorized by the blanket certificate.

(ii) The certificate holder shall file with the Commission a copy of all contracts applicable to a transaction authorized by the blanket certificate as a part of the initial full report required by §§ 284.126 and 284.148. The certificate holder shall also file with the Commission each amendment to such contracts, within 30 days of the execution of the amendment.

(f) *Pregrant of abandonment.* Abandonment of transportation services or sales, pursuant to section 7(b) of the Natural Gas Act, is authorized upon the expiration of the contractual term of each individual arrangement authorized by a blanket certificate under this section.

(g) *Hinshaw pipelines without blanket certificate.* A Hinshaw pipeline which does not obtain a blanket certificate under this section is not authorized to sell, assign or transport natural gas as an intrastate pipeline by Subparts C, D, E and F of Part 284 of this chapter.

(h) *Definitions.* For the purposes of this section:

(1) A "Hinshaw pipeline" means any person engaged in the transportation of natural gas which is not subject to the jurisdiction of the Commission under the Natural Gas Act by reason of section 1(c) of the Natural Gas Act.

(2) "Interstate supplies" means any natural gas obtained, either directly or indirectly, from:

(i) The system supplies of an interstate pipeline, or

(ii) Natural gas reserves which were committed or dedicated to interstate commerce on November 8, 1978.

(3) A "certificate holder" means any Hinshaw pipeline or local distribution company served by an interstate pipeline with an effective blanket

certificate issued pursuant to this section.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 180 and 182

[Docket No. 80N-0418]

Caffeine; Deletion of GRAS Status, Proposed Declaration That No Prior Sanction Exists, and Use on an Interim Basis Pending Additional Study; Extension of Comment Period

Correction

In FR Doc. 81-9104 appearing on page 18996 in the issue of Friday, March 27, 1981 make the following correction:

On page 18997, second column, second paragraph, the bracketed material in the sixteenth line reading "(From FD-483)" should have read "(Form FD-483)".

BILLING CODE 1501-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Proposed Placement of Fenethylamine Into Schedule I

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice is a proposed rule issued by the Administrator of the Drug Enforcement Administration (DEA) to place the chemical substance, fenethylamine, into Schedule I of the Controlled Substances Act (CSA). This action was initiated upon DEA's receipt of a letter from the Acting Assistant Secretary for Health, Department of Health and Human Services (DHHS), recommending that fenethylamine be placed into Schedule I. The effect of this proposal would be to require that the manufacture, distribution, security, registration, recordkeeping, quotas, inventory, order forms, criminal liability, exportation and importation of fenethylamine be subject to controls for Schedule I substances.

DATE: Comments must be received on or before June 2, 1981.

ADDRESS: Comments and objections should be submitted in quintuplicate to

the Administrator, Drug Enforcement Administration, 1405 I Street, NW., Washington, D.C. 20537, Attention: DEA Federal Register Representative.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION: On April 4, 1979, the Administrator of DEA sent information concerning the abuse and trafficking of the amphetamine-theophylline conjugate (3,7-dihydro-1,3-dimethyl-7-[(2)-{(1-methyl-2-phenethylamino)ethyl-1H-purine-2,6-dione}] to the Assistant Secretary for Health, Department of Health, Education and Welfare (now Department of Health and Human Services). The Administrator requested of the Assistant Secretary a scientific and medical evaluation of the information concerning fenethylamine and a recommendation that it be placed in Schedule I of the CSA. On March 18, 1981, the Acting Assistant Secretary for Health replied:

March 18, 1981.

Mr. Peter B. Bensinger,
Administrator, Drug Enforcement
Administration, Washington, D.C.

Dear Mr. Bensinger:

Pursuant to your letter of April 4, 1979 and Section 201(b) of the Controlled Substances Act, 21 U.S.C. 811(b), this letter is notification of the recommendation for control of fenethylamine into Schedule I of the Controlled Substances Act. Under the definition of the Act, fenethylamine would be defined as having a stimulant effect on the central nervous system.

The Food and Drug Administration has concluded that the pharmacology of fenethylamine is essentially that of amphetamine and has recommended that fenethylamine be placed in Schedule I of the CSA. The evidence supporting this conclusion is presented in the Basis for Recommendation for Control of Fenethylamine. I concur with the Food and Drug Administration's conclusion and recommend that fenethylamine be controlled into Schedule I of the Controlled Substances Act in the best interest of the public health.

Should you have any questions concerning this recommendation, the appropriate staff is prepared to respond.

Sincerely yours,

Charles Miller,
Acting Assistant Secretary for Health.

Enclosure
Tab A—Basis for Recommendation for
Control of Fenethylamine.

The Drug Enforcement Administration has conducted a review of fenethylamine which has included the following:

1. Published scientific and medical literature from the United States and other countries regarding this substance;
2. Materials submitted to DEA by DHHS with the letter of March 18, 1981;
3. Materials on file with the Drug Enforcement Administration;
4. Drug reporting systems within DEA and various state and local establishments; and,
5. The legislative history of the Controlled Substances Act.

Based upon the investigations and review of the Drug Enforcement Administration and relying on the scientific and medical evaluation and the recommendation of the Secretary of Health and Human Services, received pursuant to sections 201(a) and 201(b) of the Act (21 U.S.C. 811(a) and 811(b)), the Administrator of the Drug Enforcement Administration finds that:

1. Based on information now available, fenethylamine has a high potential for abuse;
2. Fenethylamine has no currently accepted medical use in treatment in the United States; and,
3. There is a lack of accepted safety for use of fenethylamine under medical supervision.

Therefore, under the authority vested in the Attorney General by section 201(a) of the Act [21 U.S.C. 811(a)], and the delegated to the Administrator of the Drug Enforcement Administration by regulations of the Department of Justice [28 CFR Part 0.100], the Administrator hereby proposes that a new paragraph (f) entitled *Stimulants* be added to § 1308.11 of Title 21 of the Code of Federal Regulations (CFR) and that § 1308.11 be amended to read as follows:

§ 1308.11 Schedule I.

* * * * *

(f) *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, and salts of isomers:

(1) Fenethylamine—1503

All interested persons are invited to submit their comments or objections in writing regarding this proposal. If a person believes that one or more issues raised by him warrant a hearing, he should so state and summarize the reasons for his belief. Comments and objections should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, 1405 I Street, NW., Washington, D.C. 20537. Attention: DEA Federal Register Representative.

In the event that comments or objections to this proposal raise one or more issues which the Administrator finds, in his sole discretion, warrant a hearing, the Administrator will have published in the Federal Register an order for a public hearing which will summarize the issues to be heard and which will set the time for the hearing (which will not be less than 30 days after the date of the order).

Pursuant to Title 5, United States Code, Section 605(b), the Administrator certifies that control of fenethylamine, as proposed herein, will have no impact upon small businesses or other entities whose interests must be considered under the Regulatory Flexibility Act. The chemical substance described in this notice has no legitimate use in the United States.

In accordance with the provisions of Section 201(a) of the Controlled Substances Act (21 U.S.C. 811(a)), this scheduling action is a formal rulemaking "on the record after opportunity for a hearing." Such formal proceedings are conducted pursuant to the provisions of 5 U.S.C. 556 and 557 and, as such, have been exempted from the consultation requirements of Executive Order 12291.

Dated: April 23, 1981.

Peter B. Bensinger,
Administrator, Drug Enforcement
Administration.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Part 235

[Docket No. R-81-900]

Mortgage Insurance and Assistance Payments for Home Ownership and Project Rehabilitation; Congressional Waiver Request

AGENCY: Department of Housing and Urban Development.

ACTION: Notice of Congressional Waiver request.

SUMMARY: Section 7(o)(4) of the Department of Housing and Urban Development Act permits the Secretary to request waiver of the legislation's requirements in appropriate instances. This notice lists and briefly summarizes for public information an interim rule concerning mortgage insurance and assistance payments for home ownership and project rehabilitation, with respect to which the Secretary is presently requesting waiver.

FOR FURTHER INFORMATION CONTACT:

Richard F. Lasner, Assistant General Counsel for Regulations, Office of General Counsel, 451 7th Street, SW., Washington, D.C. 20410, (202) 755-6207.

SUPPLEMENTARY INFORMATION:

Concurrently with issuance of this Notice, the Secretary is forwarding to the Chairmen and Ranking Minority Members of both Congressional Banking Committees the interim rule listed below. The purpose of the transmittal is to request waiver of both the 15-day prepublication review period, under Section 7(o)(2), and the 30-day delayed effective date for the interim rule under Section 7(o)(3) of the Department of Housing and Urban Development Act. A summary of the rulemaking document for which waiver has been requested is set forth below:

Interim Rule—24 CFR Part 235—Mortgage Insurance and Assistance Payments for Home Ownership and Project Rehabilitation

This interim rule amends several Sections of 24 CFR in order to comply with the intent of the Department of Housing and Community Development Act of 1980. The new provision will provide for an increase in the Section 235 maximum mortgage amounts. The maximum mortgage amount for a single-family dwelling unit or a one-family unit in a condominium project is \$40,000. In such cases where there are five or more persons requiring a minimum of four bedrooms, the maximum mortgage amount is \$47,500. In geographical areas where the Secretary finds cost levels so require, these limits may be raised up to \$7,500.

(Sec. 7(o) of the Department of HUD Act, 42 U.S.C. 3535(o); Sec. 324 of the Housing and Community Development Amendments of 1978)

Issued at Washington, D.C., April 21, 1981.
Samuel R. Pierce, Jr.,
Secretary, Department of Housing and Urban Development.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[LR-108-80]

Consolidated Return Regulations Public Hearing on Proposed Regulations;

AGENCY: Internal Revenue Service, Treasury.