

**DEPARTMENT OF JUSTICE****Drug Enforcement Administration****21 CFR Part 1308****Schedules of Controlled Substances  
Proposed Placement of Temazepam in  
Schedule IV**

**AGENCY:** Drug Enforcement Administration, Justice.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice is a proposed rule to place the drug, temazepam, into Schedule IV of the Controlled Substances Act. By letter to the Administrator of the Drug Enforcement Administration, the Assistant Secretary for Health, on behalf of the Secretary of Health and Human Services, recommended that temazepam be controlled in Schedule IV.

**DATES:** Comments must be submitted on or before March 6, 1981.

**ADDRESS:** Comments and objections should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, 1405 I Street, Washington, D.C. 20537, Attention: DEA Federal Register Representative.

**FOR FURTHER INFORMATION CONTACT:** Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, Washington, D.C. 20537, Tele.: (202) 633-1366.

**SUPPLEMENTARY INFORMATION:** On November 26, 1980, the Assistant Secretary for Health, on behalf of the Secretary of Health and Human Services sent a letter to the Administrator of the Drug Enforcement Administration, recommending that temazepam be placed in Schedule IV of the Controlled Substances Act (Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 801-966)). Enclosed with this letter from the Assistant Secretary was a document which listed the factors which the Act requires the Secretary to consider and the summarized considerations of the Secretary in recommending control for temazepam.

The factors considered by the Secretary concerning temazepam were:

- (1) its actual or relative potential for abuse;
- (2) scientific evidence of its pharmacological effect, if known;
- (3) the state of current scientific knowledge regarding the drug or other substance;
- (4) its history and current pattern of abuse;
- (5) the scope, duration, and significance of abuse;

(6) what, if any, risk there is to the public health;

(7) its psychic or physiological dependence liability; and

(8) whether the substance is an immediate precursor of a substance already controlled under the Controlled Substances Act.

Relying on the scientific and medical evaluation and the recommendation of the Secretary of Health and Human Services, received in accordance with section 201(f) of the Act (921 U.S.C. 811(f)), the Administrator of the Drug Enforcement Administration, pursuant to sections 201(a) and 201(b) of the Act, (21 U.S.C. 811(a) and 811(b)), finds that:

(1) based on information now available, temazepam has a low potential for abuse relative to the drugs or other substances currently listed in Schedule III;

(2) Temazepam will, upon issuance of a New Drug Application by the Food and Drug Administration, have a currently accepted medical use in treatment in the United States; and,

(3) abuse of temazepam may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

Therefore, under the authority vested in the Attorney General by section 201(a) of the Act (21 U.S.C. 811(a)), and delegated to the Administrator of the Drug Enforcement Administration by regulations of the Department of Justice (28 CFR Part O)), the Administrator hereby proposes to amend 21 CFR 1308.14(c) by adding paragraph (21) to read as follows:

**§ 1308.14 Schedule IV.**

\* \* \* \* \*

(c) \* \* \*

(21) Temazepam..... 2925  
\* \* \* \* \*

All interested persons are invited to submit their comments or objections in writing regarding this proposal. If a persons believe that one of 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, Washington, D.C. 20537, Attention: DEA Federal Register Representative.

In the event that a comments or objections to this proposal raise one of 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).

Dated: December 23, 1980.

**Peter B. Bensinger,**  
*Administrator, Drug Enforcement Administration.*

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**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****23 CFR Part 630**

[FHWA Docket No. 79-31, Notice 3]

**Traffic Safety in Highway and Street  
Work Zones; Separation of Opposing  
Traffic and Edge of Pavement  
Excavation Requirements**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Extension of comment period.

**SUMMARY:** This document extends the period for comments on the notice of proposed rulemaking published on October 16, 1980 (45 FR 68663), requesting comment by December 15, 1980, on proposed revisions to existing requirements for the separation of opposing traffic where two-way traffic is maintained on one roadway of a normally divided highway. The comment period is being extended until February 17, 1981, in order to provide interested parties additional time to respond to the notice.

**DATE:** Comments will be received until February 17, 1981.

**ADDRESS:** FHWA Docket No. 79-31, Federal Highway Administration, HCC-10, Room 4205, 400 Seventh Street, SW., Washington, D.C. 20590. All comments received will be available for examination at the above address between 7:45 a.m. and 4:15 p.m. ET, Monday through Friday. Those desiring notification of receipt of comments must include a self-addressed stamped postcard.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Kenneth L. Ziems, Office of Highway Operations, 202-426-4847, or Mr. Stanley H. Abramson, Office of the Chief Counsel, 202-426-0761, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

(23 U.S.C. 109, 315, and 402; 49 CFR 1.48(b))