Notices

Federal Register
Vol. 60, No. 224
Tuesday, November 21, 1995

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[DEA No. 134F]

Controlled Substances: Established Initial 1996 Aggregate Production Quotas

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Notice of aggregate production quotas for 1996.

SUMMARY: This notice establishes initial 1996 aggregate production quotas for some controlled substances in Schedules I and II of the Controlled Substances Act (CSA).

EFFECTIVE DATE: This order is effective upon November 21, 1995.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug & Chemical Evaluation Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 307–7183.

SUPPLEMENTARY INFORMATION: Section 306 of the CSA (21 U.S.C. 826) requires the Attorney General to establish aggregate production quotas for controlled substances in Schedules I and II each year. This responsibility has been delegated to the Administrator of the DEA pursuant to Section 0.100 of Title 28 of the Code of Federal Regulations. The Administrator, in turn, has redelegated this function to the Deputy Administrator of the DEA pursuant to Section 0.104 of Title 28 of the Code of Federal Regulations.

On July 27, 1995, a notice of the proposed initial 1996 aggregate production quotas for certain controlled substances in Schedules I and II was published in the Federal Register (60 FR 38576). All interested persons were invited to comment on or object to the proposed aggregate production quotas on or before August 28, 1995. The following comments were received.

A company commented that the proposed initial 1996 aggregate production quotas for dihydrocodeine, hydrocone and noroxymorphone (for conversion), are insufficient to provide for the estimated medical needs of the United States, estimated export requirements and for the establishment and maintenance of reserve stocks. The company's comments are based on their actual 1995 and projected 1996 domestic sales and 1995 manufacturing quotas. After reviewing the company's current 1995 and forecasted 1996 sales and inventory levels, the DEA determined that the initial 1996 aggregate production quotas for dihydrocodeine, hydrocodone and noroxymorphone (for conversion) must be increased to meet the 1996 medical needs of the United States, and are adjusted accordingly.

Several companies commented that the proposed initial 1996 aggregate production quota for amphetamine is insufficient to provide for the estimated medical, scientific, research and industrial needs of the United States, estimated export requirements and for the establishment and maintenance of reserve stocks. The company comments are based on their actual 1995 sales, projected 1996 sales and exports, projected 1995 and 1996 inventories and 1996 research requirements.

Based on 1995 manufacturing quotas, the 1996 Food and Drug Administration estimate for amphetamine and projected 1996 inventories, the DEA increased the initial 1996 aggregate production quota for amphetamine. The DEA received no comments regarding the proposed aggregate production quotas for any other substances in schedule I or II.

The Office of Management and Budget has determined that notices of aggregate production quotas are not subject to centralized review under Executive Order 12866. This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this matter does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

The Deputy Administrator hereby certifies that this action has no significant impact upon small entities whose interest must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601, et seq. The establishment of annual aggregate production quotas for Schedules I and II controlled substances is mandated by law and by international treaty obligations. While aggregate production quotas are of primary importance to large manufactures, their impact upon small entities is neither negative nor beneficial. Accordingly, the Deputy Administrator determined that this action does not require a regulatory flexibility analysis.

Therefore, under the authority vested in the Attorney General by Section 306 of the Controlled Substances Act of 1970 (21 U.S.C. 826), delegated to the Administrator of the DEA by Section 0.100 of Title 28 of the Code of Federal Regulations, and redelegated to the Deputy Administrator, pursuant to Section 0.104 of Title 28 of the Code of Federal Regulations, the Deputy Administrator hereby orders that the 1996 initial aggregate production quotas, expressed in grams of anhydrous base, be established as follows.

[In grams]

Basic class	Established initial 1996 quotas
Schedule I:	
Acetylmethadol	7
Alphacetylmethadol	7
Aminorex	7
Cathinone	9
Difenoxin	14,000
Dihydromorphine	7

[In grams]

Basic class	Established initial 1996 quotas
2,5-Dimethoxyamphetamine	10,650,000
N,N-Dimethylamphetamine	7
Ethylamine Analog of Phencyclidine	5
N-Ethylamphetamine	7
Lysergic Acid Diethylamide	58
Mescaline	7
Methaqualone	17
Methacathinone	9
4-Methoxyamphetamine	17
4-Methylaminorex	2
3-Methylfentanyl	14
3,4-Methylenedioxyamphetamine	17
3,4-Methylenedioxy-N-ethylamphetamine	27
3,4-Methylenedioxymethamphetamine	42
Normethadone	7
Normorphine	7
Psilocybin	2
Psilocyn	2
Tetrahydrocannabinols	55,100
Schedule II:	
Alfentanil	8,500
Amobarbital	15
Amphetamine (includes the d,1-, d- and 1- forms of amphetamine	1,863,200
Cocaine	550,040
Codeine (for sale)	58,395,000
Codeine (for conversion)	16,632,000
Desoxyephedrine (1,000,000 grams of levo-desoxyephedrine for use in a non-controlled, non-prescription product and 44,000 grams for methamphetamine)	1,044,000
Dextropropoxyphene	118,066,000
Dihydrocodeine	116,000
Diphenoxylate	1,063,000
Ecgonine (for conversion)	650,100
Ethylmorphine	12
Fentanyl	120,100
Hydrocodone (for sale)	10,575,000
Hydrocodone (for conversion)	2,800,000
Hydromorphone	448,000
Isomethadone	12
Levo-alpha-acetylmethadol	200,000
Levorphanol	14,300
Meperidine	10,822,000
Methadone (for sale)	4,551,000
Methadone (for conversion)	364,000
Methadone Intermediate (for conversion)	5,534,000
Methamphetamine (for conversion)	723,000
Methylphenidate	10,291,000
Morphine (for sale)	12,450,00
Morphine (for conversion)	76,735,000
Noroxymorphone (for sale)	2,000
Noroxymorphone (for conversion)	3,400,000
Opium	1,226,000
Oxycodone (for sale)	5,571,000
Oxycodone (for conversion)	37,300
Oxymorphone	11,200
Pentobarbital	15,100,000
Phencyclidine	40
Phenylacetone	5,280,000
1-Phenylcyclohexylamine	10
1-Piperidinocyclohexanecarbonitrile	12
Secobarbital	400,000
Sufentanil	1,000
Thebaine	9,217,000

Dated: November 16, 1995.
Stephen H. Greene,
Deputy Administrator.
[FR Doc. 95–28550 Filed 11–20–95; 8:45 am]
BILLING CODE 4410–09–M