
(20) 16 U.S.C. 3637(b), Pacific Salmon Treaty Act of 1985,\(^8\) violation, maximum from $184,767 to $189,427.

(21) 16 U.S.C. 4016(b)(1)(B), Fish and Seafood Promotion Act of 1986 (1986); violation, minimum from $1,118 to $1,146; maximum from $11,181 to $11,463.


(23) 16 U.S.C. 5103(b)(2), Atlantic Coastal Fisheries Cooperative Management Act,\(^10\) violation, maximum from $184,767 to $189,427.


(26) 16 U.S.C. 5606(b), Northwest Atlantic Fisheries Convention Act of 1995,\(^12\) violation, maximum from $184,767 to $189,427.

(27) 16 U.S.C. 6905(c), Western and Central Pacific Fisheries Convention Implementation Act,\(^13\) violation, maximum from $184,767 to $189,427.

(28) 16 U.S.C. 7009(c) and (d), Pacific Whiting Act of 2006,\(^14\) violation, maximum from $184,767 to $189,427.


(i) Violation, maximum from $28,520 to $29,239.

(ii) Subsequent violation, maximum from $84,264 to $86,389.


(31) 42 U.S.C. 9152(c), Ocean Thermal Energy Conversion Act of 1980 (1980), violation, maximum from $72,718 to $74,552.


(33) 16 U.S.C. 7407(b), Port State Measures Agreement Act of 2015,\(^16\) violation, maximum from $184,767 to $189,427.

(34) 16 U.S.C. 1826(g)(f), High Seas Driftnet Fishing Moratorium Protection Act,\(^17\) violation, maximum from $184,767 to $189,427.

(35) 16 U.S.C. 7705, Ensuring Access to Pacific Fisheries Act,\(^18\) violation, maximum from $184,767 to $189,427.

(36) 16 U.S.C. 7805, Ensuring Access to Pacific Fisheries Act,\(^19\) violation, maximum from $184,767 to $189,427.

§ 6.4 Effective date of adjustments for inflation to civil monetary penalties.

The Department of Commerce’s 2019 adjustments for inflation made by § 6.3, of the civil monetary penalties there specified, are effective on March 1, 2019, and said civil monetary penalties, as thus adjusted by the adjustments for inflation made by § 6.3, apply only to those civil monetary penalties, including those whose associated violation predated such adjustment, which are assessed by the Department of Commerce after the effective date of the new civil monetary penalty level, and before the effective date of any future adjustments for inflation to civil monetary penalties thereto made subsequent to March 1, 2019 as provided in § 6.5.

§ 6.5 Subsequent annual adjustments for inflation to civil monetary penalties.

The Secretary of Commerce or his or her designee by regulation shall make subsequent adjustments for inflation to the Department of Commerce’s civil monetary penalties annually, which shall take effect not later than January 15, notwithstanding section 553 of title 5, United States Code.

[FR Doc. 2019–00603 Filed 2–6–19; 8:45 am]

BILLING CODE 3510–DP–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–305]

Control of Immediate Precursor Used in the Illicit Manufacture of Fentanyl as Schedule II Controlled Substances; Correction

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Final rule.

SUMMARY: On June 29, 2010, the Drug Enforcement Administration (DEA) placed the fentanyl immediate precursor chemical “4-anilino-N-phenethyl-4-piperidine,” (CASRN 21409–26–7) into Schedule II of the Controlled Substances Act. It has come to DEA’s attention that the drug name listed in the final rule contained a minor error and the drug name should have been “4-anilino-N-phenethylpiperidine (ANPP).” This document corrects that listing in the Code of Federal Regulations. Because this change is ministerial, the DEA has determined for good cause that public notice and comment is unnecessary under the Administrative Procedure Act (APA) and is implementing this change by means of a final rule without notice and comment.

DATES: Effective February 7, 2019.

FOR FURTHER INFORMATION CONTACT: Kathy L. Federico, Regulatory Drafting Section, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (202) 598–6812.

SUPPLEMENTARY INFORMATION: On June 29, 2010, the DEA designated ANPP as an immediate precursor for the Schedule II controlled substance fentanyl under the definition set forth in 21 U.S.C. 802(23). 75 FR 37295 (Jun. 29, 2010). ANPP is the immediate chemical intermediary in the synthesis process used by clandestine laboratory operators for the illicit manufacture of the Schedule II controlled substance fentanyl.

In the rulemaking, the DEA inadvertently introduced an error into the drug name. This rulemaking is intended to correct that ministerial error.

Both the notice of proposed rulemaking and the final rule referenced the chemical name as “4-anilino-N-phenethyl-4-piperidine” (ANPP) and “CASRN 21409–26–7” (Chemical Abstract Service Registry Number).\(^1\) 73 FR 19175, 19176 (Apr. 9, 2008); 75 FR 37295, 37296 (Jun. 29, 2010). While the abbreviation ANPP and the Chemical Abstract Service Registry Number 21409–26–7 correctly identified the drug name listed in the final rule, the drug name “4-anilino-N-phenethyl-4-piperidine” is incorrect and is without meaning. The correct chemical name is “4-anilino-N-phenethyl-4-piperidine,” (CASRN 21409–26–7). The minor error was placed in the Chemical Abstract Service Registry Number and the abbreviation ANPP.

The Chemical Abstract Service Registry Numbers are used to identify specific compounds. Chemicals are often identified by a wide variety of names, which are generated according to international/regional naming conventions relating to chemical formula and chemical structure. Chemical Abstract Service Registry Numbers link a specific chemical compound across various nomenclatures (naming schemes) and are useful in definitively identifying a particular compound. Synonymous names are under one CASRN number.

\(^7\) See footnote 1.

\(^8\) See footnote 1.

\(^9\) See footnote 1.

\(^10\) See footnote 1.

\(^11\) See footnote 1.

\(^12\) See footnote 1.

\(^13\) See footnote 1.

\(^14\) See footnote 1.

\(^15\) See footnote 1.

\(^16\) See footnote 1.

\(^17\) See footnote 1.

\(^18\) See footnote 1.

\(^19\) See footnote 1.

\(^1\) Chemical Abstract Service Registry Numbers are used to identify specific compounds. Chemicals are often identified by a wide variety of names, which are generated according to international/regional naming conventions relating to chemical formula and chemical structure. Chemical Abstract Service Registry Numbers link a specific chemical compound across various nomenclatures (naming schemes) and are useful in definitively identifying a particular compound. Synonymous names are under one CASRN number.
name is “4-anilino-N-phenethylpiperidine”.

There is no existing chemical compound named “4-anilino-N-phenethyl-4-piperidine.” While chemists understood which compound was being controlled by the DEA due to the abbreviation ANPP and specific CASRN number, DEA is now correcting the listing in the Code of Federal Regulations (CFR) by revising 21 CFR 1308.12 to provide the correct name.

Administrative Procedure Act

The Administrative Procedure Act (APA) generally requires that agencies, prior to issuing a new rule, publish a notice of proposed rulemaking in the Federal Register. The APA also provides, however, that agencies may be exempt from this requirement when “the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.”

The name “4-anilino-N-phenethyl-4-piperidine” is without meaning and no substance exists by that chemical name. The inclusion of the “-4” in the middle of the name is nonsensical. Because the correct Chemical Abstract Service Registry Number and abbreviation “ANPP” were given in the original rulemaking, chemists have understood which compound has been (and remains) controlled by DEA. There is no change as to what substance is controlled. Public notice and comment is thus unnecessary.

For the same reasons that the DEA has determined that public notice and comment is unnecessary, the DEA also finds good cause to adopt an effective date that would be less than 30 days after the publication in the Federal Register pursuant to the APA. Accordingly, this amendment will be effective on the date of publication in the Federal Register.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Reporting and recordkeeping requirements.

For the reasons set out above, 21 CFR part 1308 is amended as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

§ 1308.12 Schedule II.

§ 1308.12 Schedule II.

*   *   *   *   *

(g)  Immediate precursor to fentanyl:

(i)  4-anilino-N-phenethylpiperidine (ANPP) . . . . . . . . . . 8333

(ii)  [Reserved]

Dated: December 14, 2018.

Utam Dhillon,
Acting Administrator.

[FR Doc. 2019–01470 Filed 2–6–19; 8:45 am]
BILLING CODE 4410–09–P