notices

CONTROLLED SUBSTANCES IN SCHEDULES I AND II

Final 1976 Aggregate Production Quotas

Section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) requires the Attorney General to establish aggregate production quotas for all controlled substances in Schedules I and II each year. This responsibility has been delegated to the Administrator of the Drug Enforcement Administration pursuant to § 0.100 of Title 28 of the Code of Federal Regulations and has been further delegated to the Acting Administrator by virtue of his designation as such by Order Number 607-75 of the Attorney General, dated May 30, 1975 and pursuant to the authority delegated to him by § 0.132(d) of Title 28 of the Code of Federal Regulations.

On August 26, 1975, a notice of the proposed aggregate production quotas for 1976 was published in the FEDERAL REGISTER (40 FR 37240). All interested parties were invited to comment or object to the proposed aggregate production quotas with these comments or objections to be received by September 30, 1975.

Mallinckrodt, Inc. of St. Louis, Missouri submitted comments relative to the proposed aggregate production quota for Thebaine (for sale). Mallinckrodt commented that the proposed quota does not permit the conversion of all Thebaine derived from the processing of raw opium to a stable form. As a result of this valuable quantities of Thebaine would be lost which could be converted to medicinal Hydrocodone or Oxycodone, if the Thebaine were processed to a stable form.

Endo Laboratories, Inc. of Garden City, New York also commented that the proposed aggregate production quota for Thebaine (for sale) will not permit the full recovery of Thebaine from gum opium and poppy straw which is processed in the United States.

Western Fher Laboratories of Ponce, Puerto Rico through their counsel Kleinfeld, Kaplan, and Becker of Washington, D.C. have commented that the proposed aggregate production quota for Phenmetrazine is inadequate to provide for the estimated medical needs of the United States for 1976.

Winthrop Laboratories, Division of Sterling Drug Inc. of Rensselaer, New York has advised that it is their opinion that the proposed aggregate production quota for Pethidine is insufficient for 1976. The firm further advised that the underlying reason for their opinion may be related to the fact that their 1975 and 1976 production cycles have been recently changed.

Pennwalt Corporation of Rochester, New York has commented that the Drug