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Drug Enforcement Administration

CONTROLLED SUBSTANCES

Proposed Aggregate Production Quotas for 1977

Section 306 of the Controlled Substances Act (21 U.S.C. 826) requires that the Attorney General establish aggregate production quotas for all controlled substances listed in Schedules I and II. This responsibility has been delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations.

The quotas are to provide adequate supplies of each such substance for (1) The estimated medical, scientific, research, and industrial needs of the United States, (2) lawful export requirements, and (3) the establishment and maintenance of reserve stocks.

In establishing the below listed proposed 1977 aggregate production quotas, the Administrator considered pursuant to Section 302 subsection (a) of the Public Health Services Act (42 U.S.C. 242 (a)) the "Results of studies and investigations of the quantities of narcotic drugs or other drugs subject to control under such Acts, together with reserves of such drugs, that are necessary to supply the normal and emergency medicinal and scientific requirements of the United States" which were supplied by the Department of Health, Education, and Welfare. In addition, the proposed aggregate quotas were established considering the following factors:

(1) Total actual 1975 and estimated 1976 and 1977 net disposals of each substance by all manufacturers.

(2) Projected trends in the national rate of net disposals of each substance.

(3) Estimates of inventories of each substance and of any substance manufactured from it, and trends in accumulation of such inventories.

(4) Projected demand as indicated by procurement quota applications which were filed pursuant to § 1303.12 of Title 21 of the Code of Federal Regulations.

Pursuant to Title 21 Code of Federal Regulations, § 1303.23(c), the Administrator of the Drug Enforcement Administration will in early 1977 adjust individual manufacturing quotas allocated for 1977 based upon 1976 end of year inventory figures and actual 1976 disposition figures of each basic class of Schedule I and II controlled substances which will be provided by quota applicants.

Based upon consideration of the above factors, the Administrator of the Drug Enforcement Administration hereby proposes that aggregate production quotas for 1977 for the following controlled substances, expressed in grams in terms of their respective anhydrous base, be established as follows:

Basic class:	*Proposed 1977 quota*
Schedule I	
2-5 dimethoxyamphetamine	42,000,000
Lysergic acid diethylamide	1
Mescaline	200
Schedule II	
Alphaprodine	45,000
Amobarbital	18,142,000
Amphetamine	Reserved
Anileridine	270,000
Cocaine	1,249,000
Codeine (for sale)	49,918,000
Codeine (for conversion)	1,943,000
Desoxyephedrine (1,490,000 g for the production of levo-desoxyephedrine for use in a noncontrolled, nonprescription product, and 393,000 g for the production of methamphetamine)	1,883,000
Dihydrocodeine	602,000
Diphenoxylate	1,272,000
Ethylmorphine	21,000
Fentanyl	2,000
Hydrocodone	721,000
Hydromorphone	78,000
Levorphanol	6,000
Methadone	2,432,000
Methadone intermediate (4-cyano-2 dimethyl-amino-4,4-diphenyl butane)	2,153,000
Methaqualone	17,914,000
Methylphenidate	1,709,000
Mixed alkaloids of opium	49,000
Morphine (for sale)	489,000
Morphine (for conversion)	46,697,000
Opium (tinctures, extracts, etc.) (expressed in terms of powdered opium)	2,855,000
Oxycodone (for sale)	1,660,000
Oxycodone (for conversion)	5,400
Oxymorphone	3,500
Pentobarbital	19,144,000
Pethidine	12,428,000
Phenmetrazine	2,125,000
Secobarbital	17,346,000
Thebaine (for sale)	2,380,000
Thebaine (for conversion)	726,000

The proposed aggregate production quota for Amphetamine is being reserved pending the completion of a review of data on hand relative to this substance. It is anticipated that DEA will publish a proposed aggregate production quota for 1977 for this substance in the near future.

All interested persons are invited to submit their comments and objections in writing regarding this proposal. These comments or objections should state with particularity the issues concerning which the person desires to be heard. A person may object or comment on the proposals relating to any one or more of the above-mentioned substances without filing comments or objections regarding the others. Comments and objections should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative, and must be received by October 29, 1976. If a person believes that one or more issues raised by him warrant a full adversary-type hearing, he should so state and summarize the reasons for his belief.

In the event that comments or objections to this proposal raise one or more issues which the Administrator finds, in his sole discretion, warrants a full adversary-type hearing, the Administrator shall order a public hearing in the FEDERAL REGISTER summarizing the issues to be heard and setting the time for the hearing (which shall not be less than 30 days after September 29, 1976).

Dated: September 23, 1976.

PETER B. BENSINGER,
Administrator,
Drug Enforcement Administration.

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