

COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY 15247

LAW OFFICES

ROBINSON AND KAPLAN

SUNDERLAND BUILDING

1927 CONSTITUTION STREET, N.W.

WASHINGTON, D. C. 20036

VINCENT A. KLEINFELD

ALAN R. KAPLAN

ROBERT H. BECKER

THOMAS O. HERTZLEFF

TELEPHONE
(202) 777-1111

June 25, 1971

Director, Bureau of Narcotics
and Dangerous Drugs
Department of Justice
Washington, D. C. 20537

Dear Sir:

Pursuant to Section 201(a) of the Controlled Substances Act [Act] and in accordance with the procedures specified in 21 CFR 308.45 and 316.47, the undersigned, on behalf of the Pharmaceutical Division of Pennwalt Corporation [Pennwalt], whose mailing address is Post Office Box 1710, Rochester, New York 14603, hereby requests a hearing in the matter entitled "Proposed Transfer of Amphetamine and Methamphetamine and Their Salts, Optical Isomers, and Salts of Their Optical Isomers From Schedule III to Schedule II, With Certain Exceptions." The proposal was published in the Federal Register of May 26, 1971 (36 F.R. 9563).

(A) On June 17, 1971, representatives of Pennwalt met with representatives of the Bureau of Narcotics and Dangerous Drugs [Bureau] to explain that two Pennwalt drug preparations containing resin complexes of amphetamine and dextroamphetamine, and marketed under the trade names Biphetamine and Biphetamine-T, were not and should not be subject to the control contemplated by the May 26 proposal. Pennwalt pointed out that these resin complexes are