

15252 COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY

KLEINFELD AND KAPLAN

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(C) In conclusion, Pennwalt requests a hearing in order to determine the legal and factual bases, if any, of the Bureau's assertion that Biphedamine and Biphedamine-T may appropriately be subjected to Schedule II control and, if necessary, present its evidence rebutting the assertion. Included among the factual issues for determination at such a hearing are:

1. Whether amphetamine resin complexes as present in Biphedamine and Biphedamine-T are salts of amphetamine;
2. Whether Biphedamine and Biphedamine-T specifically were the subject of a scientific and medical evaluation and recommendation by the Secretary of Health, Education and Welfare as to whether they should be controlled;
3. Whether
 - (a) Biphedamine and Biphedamine-T have a high potential for abuse; and
 - (b) Abuse of Biphedamine and Biphedamine-T may lead to severe psychological dependence.

All notices to be sent pursuant to the proceeding should be addressed to:

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Respectfully yours,

KLEINFELD AND KAPLAN

By

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