

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Placement of Mebutamate in Schedule IV

A notice was published in the FEDERAL REGISTER, on Friday, December 13, 1974 (39 FR 43408) proposing that Schedule IV of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Pub. L. 91-513) be amended to include mebutamate (and its salts). All interested persons were given until January 13, 1975 to submit their objections, comments, or requests for hearing.

In view of the fact that no comments, objections, or requests for a hearing were received as to the proposed order, and based upon the investigations and review of the Drug Enforcement Administration and upon the scientific and medical evaluation and recommendation of the Secretary of Health, Education, and Welfare, received pursuant to sections 201(a) and 201(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(a) and 811(b)), the Administrator of the Drug Enforcement Administration finds that:

1. Based on information now available, mebutamate has a low potential for abuse relative to the drugs or other substances currently listed in Schedule III.

2. Mebutamate will, upon the approval of a New Drug Application by the FDA, have a currently accepted medical use in treatment in the United States.

3. Abuse of mebutamate may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

Therefore, under the authority vested in the Attorney General by section 201(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(a)), and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations, the Administrator hereby orders that Title 21 of the Code of Federal Regulations (CFR) be revised to read as follows:

§ 1308.14 Schedule IV.

(b) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salt of isomers is possible within the specific chemical designation:

(1) Barbitol	2145
(2) Chloral betaine	2460
(3) Chloral hydrate	2465
(4) Ethchlorvynol	2540
(5) Ethinamate	2545
(6) Mebutamate	2800
(7) Meproamate	2820
(8) Methohexital	2264
(9) Methylphenobarbital	2250
(10) Paraldehyde	2585
(11) Petrichloral	2591
(12) Phenobarbital	2285

The issuing of a letter approving the New Drug Application for mebutamate, by FDA, has occurred simultaneously with the issuing of this order, which is effective on January 30, 1975.

Dated: January 24, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.
[FR Doc. 75-2862 Filed 1-29-75; 8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER E—ALCOHOL, TOBACCO AND OTHER EXCISE TAXES

[T.D. ATF-13]

PART 240—WINE

PART 250—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

PART 251—IMPORTATION OF DISTILLED SPIRITS, WINES, AND BEER

Carbon Dioxide Tolerance

The purpose of these amendments is to conform the regulations to changes made by Pub. L. 93-490, which increases the amount of carbon dioxide permitted to be contained in still wine. Formerly there had been permitted 0.277 gram of carbon dioxide per hundred milliliters of wine, but the new law permits 0.392 gram of carbon dioxide per hundred milliliters of wine. The purpose of this change, as explained in the Committee Report accompanying the bill, is to improve the shelf life of wines with low alcoholic content. As stated in the Report, "The committee understands that wine tends to deteriorate more quickly as the alcoholic content decreases because there is less alcohol to act as a preservative. If still wines with low-alcoholic content were produced with a greater volume of carbon dioxide than is now permitted, this would help preserve the color and flavor by displacing some of the oxygen which reacts with the bacteria in the product". Elsewhere in the Report, it is stated that the change is expected to have no effect on the revenue.

In addition, a minor change is made to update terminology, reflecting the establishment of the Bureau of Alcohol, Tobacco, and Firearms as a separate entity under Treasury.

Therefore, the regulations in 26 CFR Parts 240, 250, and 251 are amended as follows:

PARAGRAPH A. The regulations in 26 CFR Part 240 are amended as follows:

1. Section 240.15 is amended by deleting the language defining the term "assistant regional commissioner" and inserting instead, a cross reference to new § 240.42. As amended, § 240.15 reads as follows:

§ 240.15 Assistant regional commissioner.

"Assistant regional commissioner", wherever used in this part shall mean a Regional Director, Bureau of Alcohol, Tobacco, and Firearms, as defined in § 240.42.

2. A new section, § 240.42, is added, immediately following § 240.41, to provide a definition of Regional Director, Bureau of Alcohol, Tobacco, and Firearms. As added, § 240.42 reads as follows:

§ 240.42 Regional Director.

"Regional Director" shall mean a Regional Director, Bureau of Alcohol, Tobacco, and Firearms, who is responsible to, and functions under the direction and supervision of, the Director, Bureau of Alcohol, Tobacco, and Firearms.

3. Section 240.531 is amended to change the quantity of carbon dioxide permitted in still wine from 0.277 gram per 100 milliliters of wine to 0.392 gram per 100 milliliters of wine. As amended, § 240.531 reads as follows:

§ 240.531 General.

The addition to (and retention in) still wines of small quantities of carbon dioxide is permitted: *Provided*, That, at the time of removal for consumption or sale, the still wine shall not contain more than 0.392 gram of carbon dioxide per 100 milliliters of wine, subject to the tolerance provisions of § 240.533. Where carbon dioxide is added to, or retained in, still wines, the proprietor shall file notice in accordance with § 240.532. Where such carbon dioxide content of wine, at the time of removal for consumption or sale, is to be less than 0.225 gram of carbon dioxide per 100 milliliters of wine, the provisions of § 240.534 shall not be applicable.

(Title II, sec. 201, Pub. L. 85-850, 72 Stat. 1331; sec. 6, Pub. L. 93-490, 88 Stat. 1460 (26 U.S.C. 5041))

4. Section 240.533 is amended to change the quantity of carbon dioxide permitted in still wine from 0.277 gram per 100 milliliters of wine to 0.392 gram per 100 milliliters of wine, and to replace the phrase "assistant regional commissioner" by the phrase "regional director". As amended, § 240.533 reads as follows:

§ 240.533 Tolerance.

A tolerance to the maximum limitation on carbon dioxide in still wines, not to exceed 0.009 gram of carbon dioxide per 100 milliliters of wine, will be allowed where the proprietor shows to the satisfaction of the regional director that the amount of carbon dioxide in excess of 0.392 gram per 100 milliliters of wine was due to mechanical variations which could not be completely controlled under good commercial practices. Such tolerance will not be allowed where it is found that the proprietor continuously or intentionally exceeds 0.392 gram of carbon dioxide per 100 milliliters of wine or where the variation results from the use of methods or equipment not in accord with good commercial practices.

(Title II, sec. 201, Pub. L. 85-850, 72 Stat. 1331; sec. 6, Pub. L. 93-490, 88 Stat. 1460 (26 U.S.C. 5041))

PAR. B. The regulations in 26 CFR Part 250 are amended as follows:

1. Section 250.53a is amended to change the quantity of carbon dioxide permitted in still wine from 0.277 gram per 100 milliliters of wine to 0.392 gram