

objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 573

Animal feeds, Food additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, Part 573 is amended as follows:

PART 573—FOOD ADDITIVES PERMITTED IN FEED AND DRINKING WATER OF ANIMALS

1. The authority citation for 21 CFR Part 573 continues to read as follows:

Authority: Secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348); 21 CFR 5.10 and 5.61.

2. Section 573.225 is added to Subpart B to read as follows:

§ 573.225 1,3-Butylene glycol.

The food additive 1,3-butylene glycol (1,3-butanediol) may be safely used in accordance with the following prescribed conditions:

- (a) It complies with the specifications in § 173.220(a) of this chapter.
- (b) It is intended for use in swine feed as a source of energy.
- (c) It is to be thoroughly mixed into feed at levels not to exceed 9 percent of the dry matter of the total ration.
- (d) 1,3-Butylene glycol should be mixed in feed with equipment adapted for the addition of liquids, and the feed should be mixed not less than 5 minutes after its addition.

Dated: October 5, 1988.

Gerald B. Guest,

Director, Center for Veterinary Medicine.
(FR Doc. 88-23662 Filed 10-12-88; 8:45 am)

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Extension of Temporary Placement of 3,4-Methylenedioxy-N-ethylamphetamine, N-Hydroxy-3,4-methylenedioxyamphetamine and 4-Methylaminorex Into Schedule I

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: This final rule is issued by the Administrator of the Drug Enforcement Administration (DEA) to extend the temporary scheduling of 3,4-methylenedioxy-N-ethylamphetamine, N-hydroxy-3,4-methylenedioxyamphetamine and 4-methylaminorex in Schedule I of the Controlled Substances Act (CSA) (21 U.S.C. 801 et seq.). The temporary scheduling of these three substances is due to expire on October 15, 1988. This notice will extend the temporary scheduling of these three substances for six months or until rulemaking proceedings pursuant to 21 U.S.C. 811(a) are completed, whichever occurs first.

EFFECTIVE DATE: October 13, 1988.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug Control Section, Drug Enforcement Administration, 1405 I Street NW., Washington, DC 20537, Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION: On October 15, 1987, the Administrator of the DEA issued a final rule in the Federal Register (52 FR 38225) amending § 1308.11(g) of Title 21 of the Code of Federal Regulations to temporarily place three substances into Schedule I of the CSA pursuant to the emergency scheduling provisions of 21 U.S.C. 811(h). The three substances are:

- (1) 3,4-methylenedioxy-N-ethylamphetamine
- (2) N-hydroxy-3,4-methylenedioxyamphetamine
- (3) 4-methylaminorex.

The final rule which became effective on October 15, 1987 was based on findings by the Administrator that the emergency scheduling of the above-referenced substances was necessary to avoid an imminent hazard to the public safety. Section 201(h)(2) of the CSA (21 U.S.C. 811(h)(2)) requires that the emergency scheduling of a substance expires at the end of one year from the effective date of the order. However, during the pendency of proceedings under 21 U.S.C. 811(a)(1) with respect to

the substance, temporary scheduling of that substance may be extended for up to six months. Proceedings for the scheduling of a substance under 21 U.S.C. 811(a) may be initiated by the Attorney General (delegated to the Administrator of DEA pursuant to 28 CFR 0.100) on his own motion, at the request of the Secretary of the Department of Health and Human Services, or on the petition of any interested party. Such proceedings regarding the three substances have been initiated by the Administrator.

Therefore, the temporary scheduling of 3,4-methylenedioxy-N-ethylamphetamine, N-hydroxy-3,4-methylenedioxyamphetamine and 4-methylaminorex, which is due to expire on October 15, 1988, may be extended until April 15, 1989, or until proceedings initiated in accordance with 21 U.S.C. 811(a) are completed, whichever occurs first.

Pursuant to 21 U.S.C. 811(h)(2) the Administrator hereby orders that the temporary scheduling of 3,4-methylenedioxy-N-ethylamphetamine, N-hydroxy-3,4-methylenedioxyamphetamine and 4-methylaminorex be extended until April 15, 1989 or until the conclusion of scheduling proceedings initiated in accordance with 21 U.S.C. 811(a), whichever occurs first.

Pursuant to Title 5, United States Code, section 605(b), the Administrator certifies that the extended scheduling of 3,4-methylenedioxy-N-ethylamphetamine, N-hydroxy-3,4-methylenedioxyamphetamine and 4-methylaminorex into Schedule I of the CSA will have no impact upon small businesses or other entities whose interests must be considered under the Regulatory Flexibility Act (Pub. L. 96-354). The substances 3,4-methylenedioxy-N-ethylamphetamine, N-hydroxy-3,4-methylenedioxyamphetamine and 4-methylaminorex have no legitimate use or manufacturer in the United States.

It has been determined that the extension of the temporary placement of 3,4-methylenedioxy-N-ethylamphetamine, N-hydroxy-3,4-methylenedioxyamphetamine and 4-methylaminorex in Schedule I of the CSA under the emergency scheduling provision is a statutory exception to the requirements of Executive Order 12291 (46 FR 13193).

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Narcotics, Prescription drugs.

Date: October 6, 1988.

John C. Lawn,
Administrator, Drug Enforcement
Administration.

[FR Doc. 88-23612 Filed 10-12-88; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF THE TREASURY

31 CFR Part 103

Amendment to the Bank Secrecy Act Regulations Regarding Administrative Rulings

AGENCY: Departmental Offices, Treasury.

ACTION: Final rule.

SUMMARY: Treasury is revising the appendix to 31 CFR Part 103 to list its Bank Secrecy Act administrative rulings issued pursuant to 31 CFR 103.75. The text of the present Appendix is deleted and the Appendix is redesignated as "Administrative Rulings" in lieu of the present "Interpretations and Exemptions." Any interpretations in the appendix not specifically revoked in this document still are valid unless otherwise altered or revoked by Treasury. Exemptions for specific financial institutions from particular requirements of Part 103 will be issued solely to the specific financial institution requesting the exemption and no longer will be published in the appendix. Copies of administrative rulings may be obtained by contacting the Office of Financial Enforcement, Office of the Assistant Secretary (Enforcement).

DATES: Rulings 88-1, 88-2, and 88-3 were effective as of June 22, 1988. Rulings 88-4 and 88-5 were effective as of August 2, 1988.

ADDRESS: Office of Financial Enforcement, Office of the Assistant Secretary (Enforcement), Department of the Treasury, Room 4320, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

FOR FURTHER INFORMATION CONTACT: Amelia Gomez, Deputy Director, Office of Financial Enforcement, Office of the Assistant Secretary (Enforcement), Department of the Treasury, Room 4320, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, (202) 566-8022.

SUPPLEMENTARY INFORMATION:

The Bank Secrecy Act, Pub. L. 91-508 (codified at 12 U.S.C. 1829b, 12 U.S.C. 1951 et seq., and 31 U.S.C. 5311-5324), authorizes the Secretary of the Treasury to require financial institutions to keep records and file reports that the Secretary determines have a high degree of usefulness in criminal, tax, or

regulatory matters. Title 31, Code of Federal Regulations, Part 103, contains the regulations implementing the Bank Secrecy Act.

On September 22, 1987, Treasury issued final regulations implementing an administrative ruling system for interpretations of the Bank Secrecy Act regulations. 52 FR 35545. Administrative rulings issued by the Assistant Secretary (Enforcement), or his designee which Treasury has determined have precedential value (i.e., the questions are of widespread interest and applicability and are likely to recur again), are to be published in the appendix to Part 103. 31 CFR 103.75. Administrative rulings are issued and effective when signed. Publication in the *Federal Register* is merely a method of publicizing their existence.

Many of the interpretations in the current Appendix to 31 CFR Part 103 do not reflect present Treasury policy or are no longer necessary because of more recent regulatory revisions. To accommodate the administrative rulings, Treasury is deleting the present text of the appendix. Any interpretations presently contained in the Appendix which are not revoked below are still valid and may be relied upon by financial institutions, even though they no longer will appear in the Appendix, until such time as they are publicly altered or revoked by Treasury.

Those interpretations which give exemptions to specific financial institutions from certain Part 103 requirements will not be reissued as administrative rulings. Exemptions from any of the requirements of Part 103 granted by Treasury that apply solely to specific financial institutions are not appropriate for administrative rulings and, though still valid as to the specific financial institution unless revoked, will not be the subject of administrative rulings published in the *Federal Register*. This is because these exemptions have no precedential value for other financial institutions.

Five rulings are being published in the newly redesignated Appendix. The first ruling (88-1, June 22, 1988) deals with the reporting of suspicious transactions by financial institutions. The second administrative ruling (88-2, June 22, 1988) deals with the duty of the financial institution to file Currency or Monetary Instruments Reports on behalf of their customers. The third administrative ruling (88-3, June 22, 1988) deals with the reporting of "cash back" transactions. The fourth administrative ruling (88-4, August 2, 1988) deals with the listing on a bank's exemption list of multiple establishments using the same exempted account. The fifth

administrative ruling (88-5, August 2, 1988) deals with the filing of CTR's when a financial institution uses armored car operations which act on behalf of the financial institution.

Copies of rulings may be obtained by contacting the Office of Financial Enforcement at the address listed above. Please make all requests for rulings in writing, specifying the relevant number or subject of the ruling.

Listed below are references to the interpretations and exemptions in the current Appendix that are: (1) Revoked outright or by reason of incorporation into the regulations; (2) revoked because of the issuance of an administrative ruling; (3) not going to be issued as administrative rulings because they apply to only one financial institution; or (4) still valid until subsequently altered or revoked by Treasury.

Section 103-11 Exemption from.

#1. This exemption is valid until subsequently altered or revoked by Treasury.

Section 103.23 Interpretations.

#1. The correct amount is now \$10,000. In all other aspects, this interpretation is valid until subsequently altered or revoked by Treasury.

2. This interpretation is the subject of Administrative Ruling 88-2, June 22, 1988.

3. This interpretation is valid until subsequently altered or revoked by Treasury.

4. This interpretation is valid until subsequently altered or revoked by Treasury.

5. This interpretation is valid until subsequently altered or revoked by Treasury.

Section 103.23 Exemptions.

1. This specific exemption will not be issued as an administrative ruling because it is an exemption applicable solely to a specific financial institution. The exemption remains valid for the specific institution to which it was granted.

2. This specific exemption will not be issued as an administrative ruling because it is an exemption applicable solely to a specific financial institution. The exemption remains valid for the specific institution to which it was granted.

3. This exemption is valid until subsequently altered or revoked by Treasury.

4. This exemption has been incorporated into § 103.23(c)(8).