

# proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

**DEPARTMENT OF JUSTICE**  
**Drug Enforcement Administration**  
**[ 21 CFR Part 1308 ]**  
**SCHEDULES OF CONTROLLED**  
**SUBSTANCES**

**Proposed Removal of Naltrexone From Control**

Based upon the investigations 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 section 201(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(b)), the Administrator of the Drug Enforcement Administration finds that naltrexone has a currently accepted medical use in treatment in the United States and does not have sufficient potential for abuse or abuse liability to justify its continued control in any schedule under the Act. Naltrexone is presently controlled under Schedule II of the Act (§ 1308.12(b) of Title 21 of the Code of Federal Regulations) as a derivative of opium.

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 redelegated to the Administrator, Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations, the Administrator hereby proposes that § 1308.12 (b) (1) of Title 21 of the Code of Federal Regulations be amended as follows: § 1308.12 Schedule II.

(b) \* \* \*

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding naloxone and its salts, and excluding naltrexone and its salts, but including the following:

1 Raw opium.....	9600
2 Opium extracts.....	9610
3 Opium fluid extracts.....	9620
4 Powdered opium.....	9639
5 Granulated opium.....	9640
6 Tincture of opium.....	9630
7 Apomorphine.....	9030
8 Codeine.....	9050
9 Ethylmorphine.....	9190
10 Etorphine hydrochloride.....	9059
11 Hydrocodone.....	9193
12 Hydromorphone.....	9150
13 Metopon.....	9260
14 Morphine.....	9300
15 Oxycodone.....	9143
16 Oxymorphone.....	9652
17 Thebaine.....	9333

All interested persons are invited to submit their comments or objections in writing regarding this proposal. These comments or objections should state with particularity the issues concerning which the person desires to be heard. Comments and objections should be submitted in quintuplicate to the Hearing Clerk, Office of Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street NW., Washington, D.C. 20537, and must be received no later than January 8, 1975.

In the event that an interested party submits objections to this proposal which present reasonable grounds for this rule not to be finalized and requests a hearing in accordance with 21 CFR 1308.45, the party will be notified by registered mail that a hearing will be held as soon as the matter may be heard, at the Drug Enforcement Administration, 1405 Eye Street NW., Washington, D.C. 20537. If objections submitted do not present such reasonable grounds, the party will be so advised by registered mail.

If no objections presenting reasonable grounds for a hearing on the proposal are received within the time limitations, or all interested parties waive or are deemed to waive their opportunity for a hearing or to participate in a hearing, the Administrator, after giving considerations to written comments and objections, will issue his final order pursuant to 21 CFR 1308.48 without a hearing.

Dated: December 3, 1974.

JOHN R. BARTELS, Jr.,  
 Administrator,  
 Drug Enforcement Administration.  
 [FR Doc. 74-28651 Filed 12-6-74; 8:45 am]

## DEPARTMENT OF THE INTERIOR

Bureau of Mines

[ 30 CFR Part 601 ]

### SALES OF HELIUM BY AND RENTAL OF CONTAINERS FROM BUREAU OF MINES

Fee Schedules

This revision is proposed pursuant to the Helium Act, approved September 13, 1960 (74 Stat. 918; 50 U.S.C. 167).

The Department of the Interior proposes to amend Chapter VI, Subchapter A, Part 601 of Title 30, Code of Federal Regulations, entitled "Sales of Helium by and rental of containers from Bureau of Mines," by replacing the now existing schedule of prices and charges which became effective November 18, 1961. The proposed schedule of charges and prices are to be effective January 1, 1975.

This will be the first increase in 13 years and the need for new prices and charges is justified by the lapse of time alone. Some of the 1961 charges were either understated or were charges that had been in existence prior to the November 1961 schedule and were continued without updating. Another factor is that some charges include costs of labor and material, while others are predominately labor costs. With regard to increases in the costs of materials, since 1961 the Wholesale Price Index, which is a general indicator of increased materials cost, has increased 44 percent. Wages have increased 88 percent. The overall increase for the proposed charges is 87 percent over the November 18, 1961, schedule of prices and charges.

The increased cylinder rental and all filing charges account for 82 percent of the total increase on the schedule. These are necessary because of the additional work necessary in quality control and the special attention needed in filling operations.

Some increases in service charges are based on value rather than on costs. This is true of the increase for the rental of cylinders. The price of 25 cents per month per cylinder has been in existence since the 1950's. The price under General Services Administration contracts for the lease of cylinders from industrial gas distributors is generally about \$1.80 per month, with the first 2 months free. However, there are no commercial distributors that lease cylinders on a long-term basis as the Bureau does; therefore, there is no exactly comparable market value for cylinder rental. A good measure of the value of cylinders can be taken from the current market value for the purchase of new cylinders and the actual cost to maintain cylinders that are leased. A recent quote for new cylinders was \$69 each, which is about double the 1961 cost. Delivery was not firm but estimated at 2 years. Using 30-year depreciation and 8-percent interest, a fixed cost of about \$0.33 per month is obtained. Accounting records show that maintenance costs are about \$0.37 per month, giving a total monthly cost of \$0.70 per cylinder. This is the recommended charge. Although this is more than twice the present charge, it is realistic and in keeping with cost and value. It is also less than the rate charged under GSA contract, referenced above.

The attached schedule has been prepared in accordance with costs and value as provided in OMB memorandum to Assistant Secretary of the Interior, dated August 26, 1971; the Secretary of the Interior's letter of June 8, 1966; and OMB