On January 19, 1978, the Commission issued its order to respondent to show cause why the Commission should not alter or modify the July 29, 1975 Order so as to delete the words "*in camera*" from paragraph IV C.(9) thereof.

On March 6, 1978, respondent filed an answer that did not oppose the proposed modification. Section 3.72(b)(3) of the Commission's rules provides that if an order to show cause is not opposed the Commission may, in its discretion, decide the matter on the basis of that order and the answer thereto.

Accordingly, *it is ordered*, That the matter be reopened, and that paragraph IV C.(9) of the order of July 29, 1975, be modified to read as follows:

If Xerox grants a license under order patents either pursuant to the terms of paragraph II of this order or otherwise, the license agreement shall contain the irrevocable covenant of the licensee to license such of its patents as are licensed to Xerox on reasonable terms and conditions (including the license to itself of its licensees' patents or improvement patents) to any other person who is entitled to a license from Xerox pursuant to paragraph II of this order, *Provided*, That such license need not be effective prior to the effective date of the licensee's license to Xerox. Within 60 days following execution of a license agreement subject to this paragraph IV C.(9), Xerox shall submit to the Commission a copy thereof.

JAMES A. TOBIN,
Acting Secretary.

[FR Doc. 78-13421 Filed 5-16-78; 8:45 am]

[1505-01]

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER C—FEDERAL HAZARDOUS SUBSTANCES ACT REGULATIONS

PART 1500—HAZARDOUS SUBSTANCES AND ARTICLES; ADMINISTRATION AND ENFORCEMENT REGULATIONS

Technical Requirements for Determining a Sharp Metal or Glass Edge in Toys and Other Articles Intended for Use by Children Under 8 Years of Age

Correction

In FR Doc. 78-7689, appearing at page 12636 in the issue of Friday, March 24, 1978, make the following changes in § 1500.49:

1. On page 12645, third column, the third line of paragraph (c)(1) should read, "either before or after the test of" and the seventh line of paragraph (c)(3)(ii) should read, "[diam-]eter of Probe B, but less than 9.00 inches".

2. On page 12646, first column, the fifth line of paragraph (c)(3)(iii) should read, "[di-]mension of 9.00 inches (228.6 millimeters)", the third from last line of that paragraph should read, "[dimen-]sion that is 7.36 inches (186.9 millime-[ters]", and the sixteenth line of paragraph (d)(1) should read, "force of 1.35 pounds (6.00 Newtons) such".

3. On page 12646 second column, the last line of paragraph (d)(1) should read, "up to 1.35 pounds (6.00 Newtons).", the fifth line of paragraph (d)(2) should read, "force of 1.35 pounds (6.00 Newtons)", and the thirteenth line of paragraph (d)(2)(iii) should read, "(6.00 Newtons) measured in a direction at".

4. On page 12646, third column, the third and fourth lines of paragraph (e)(1) should read, "[ve-]locity of 1.00±0.08 inch per second (25.4±2.0 millimeters per second) during"; the text of footnote one, with the exception of the first sentence, should appear as regular text following the footnote reference in paragraph (e)(2); and the tenth line of paragraph (e)(3) should read, "The thickness of the polytetrafluor-[oethylene]".

[4410-01]

Title 21—Food and Drugs

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Placement of 1-Phenylcyclohexylamine and 1-Piperidinocyclohexane-Carbonitrile, Immediate Precursors of Phencyclidine, in Schedule II

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: This rule is issued as a result of receipt by the Administrator of DEA of a letter from the Assistant Secretary for Health, Department of Health, Education, and Welfare, which requested DEA to consider the control of analogs and precursors of phencyclidine, and subsequent publication in the FEDERAL REGISTER (43 FR 11588, March 20, 1978) of a Notice of Proposed Rulemaking to place 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, which are immediate precursors of phencyclidine, into Schedule II. No comments or objections were received in response to the Notice. This rule places these two immediate precursors of phencyclidine under Schedule II requirements of the Controlled Substances Act.

EFFECTIVE DATE: The effective date of Schedule II control is June 16, 1978 except as otherwise provided in the Supplementary Information Section of this Order.

FOR FURTHER INFORMATION CONTACT:

Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, telephone 202-633-1366.

SUPPLEMENTARY INFORMATION: A Notice was published in the FEDERAL REGISTER on March 20, 1978 (43 FR 11588) proposing that 1-phenylcyclophexylamine and 1-piperidinocyclohexanecarbonitrile be placed in Schedule II of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 801-966) as immediate precursors of phencyclidine, and that Title 21 of the Code of Federal Regulations, § 1308.12 (Schedule II) be amended accordingly. All interested persons were given until April 19, 1978 to submit their comments or objections in writing regarding this proposal.

No comments nor objections were received, nor were there any requests for a hearing, and in view thereof, and based upon the investigations and review of the Drug Enforcement Administration and upon the request of the Assistant Secretary for Health in behalf of the Secretary of Health, Education, and Welfare, the Administrator of the Drug Enforcement Administration finds, pursuant to the authority delegated to him by regulations of the Department of Justice, that:

1. 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile are the principle compounds used, or produced primarily for use, in the manufacture of a controlled substance;

2. 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile are immediate chemical intermediaries used or likely to be used in the manufacture of a controlled substance; and

3. The control of 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile is necessary to prevent, curtail, or limit the manufacture of a controlled substance.

Therefore, under the authority vested in him by the Act and by regulations of the Department of Justice, the Administrator of the Drug Enforcement Administration hereby orders that § 1308.12(e) of Title 21 of the Code of Federal Regulations be amended as follows:

§ 1308.12 Schedule II.

* * * * *

(e) *Depressants.* Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital	2125
(2) Methaqualone	2565
(3) Pentobarbital	2270
(4) Phencyclidine	7471
(5) Phencyclidine immediate precursors:	
(a) 1-phenylcyclohexylamine	7460
(b) 1-piperidinocyclohexanecarbonitrile(PCC)	8603
(6) Secobarbital	2315

* * * * *

EFFECTIVE DATES

As to 1-phenylcyclohexylamine and 1-piperidinohexanecarbonitrile:

1. *Registration.* Any person who manufactures, distributes, dispenses, imports or exports such substances or who proposes to engage in such activities, shall submit an application for registration to conduct such activities in accordance with Parts 1301 and 1311 of Title 21 of the Code of Federal Regulations on or before (60 days after publication);

2. *Security.* Such substances must be manufactured, distributed, and stored in accordance with §§ 1301.71, 1301.72 (a), (c), and (d), 1301.73, 1301.74 (a)-(f), 1301.75(b)(c) and 1301.76 of Title 21 of the Code of Federal Regulations on or before (90 days after publication). From now until the effective date of this provision, it is expected that manufacturers and distributors of such substances will initiate whatever preparation as may be necessary in order to provide adequate security in accordance with DEA regulations so that substantial compliance with this provision can be met by (90 days after publication). In the event that this imposes special hardships, the Drug Enforcement Administration will entertain any justified requests for extensions of time.

3. *Labeling and packaging.* All labels on commercial containers of, and all labeling of such substances packaged after (60 days after publication) shall comply with the requirements of §§ 1302.03-1302.05, 1302.07 and 1302.08 of Title 21 of the Code of Federal Regulations. In the event this effective date imposes special hardships on any manufacturer, as defined in section 102(14) of the Controlled Substances Act (21 U.S.C. 802(14)), the Drug Enforcement Administration will entertain any justified requests for an extension of time;

4. *Quotas.* All persons required to obtain quotas with respect to either of such substances shall submit applications pursuant to §§ 1303.12 and 1303.22 of Title 21 of the Code of Federal Regulations on or before August 15, 1978;

5. *Inventory.* Every registrant required to keep records who possesses any quantity of such substances shall take an inventory pursuant to §§ 1304.11-1304.19 of Title 21 of the Code of Federal Regulations, of all stocks of such substances on hand on July 17, 1978;

6. *Records.* All registrants required to keep records pursuant to §§ 1304.21-1304.27 of Title 21 of the Code of Federal Regulations shall do so regarding such substances commencing on the date on which the inventory of such substances is taken;

7. *Order Forms.* The order form requirements of §§ 1305.01-1305.16 of Title 21 of the Code of Federal Regulations shall be in effect on the date which the initial inventory of these Schedule II controlled substances is taken;

8. *Importation and exportation.* All importation and exportation of such substances shall, on or after July 17, 1978, be required to be in compliance with Part 1312 of Title 21 of the Code of Federal Regulations;

9. *Criminal liability.* The Administrator, Drug Enforcement Administration, hereby orders that any activity with respect to 1-phenylcyclo- hexylamine and 1-piperidinocyclohexanecarbonitrile, not authorized by or in violation of the Controlled Substances Act or the Controlled Substances Import and Export Act, conducted after (30 days after publication) shall be unlawful, except that any person who is entitled to registration under such Acts may continue to conduct normal business or professional practice with such substances between the date on which this order is published and the date on which he obtains or is denied registration, provided that application for such registration is submitted on or before June 17, 1978;

10. *Other.* In all other respects, this order is effective June 16, 1978.

Dated: May 11, 1978.

PETER B. BENSINGER,
Administrator, Drug Enforcement Administration.

[FR Doc. 78-13361 Filed 5-16-78; 8:45 am]

[3810-70]

Title 32—National Defense

CHAPTER I—OFFICE OF THE SECRETARY OF DEFENSE, DEPARTMENT OF DEFENSE

SUBCHAPTER M—MISCELLANEOUS

[DoD Directive 3210.2]

PART 273—RESEARCH GRANTS AND TITLE TO EQUIPMENT PURCHASED UNDER GRANTS

AGENCY: Office of the Secretary of Defense.

ACTION: Final rule.

SUMMARY: The Department of Defense has amended its regulation on research grants and title to equipment purchased under grants. This revised rule incorporates the provisions of OMB Circular A-110; outlines criteria and requirements regarding the support of scientific research; delegates authorities; and implements administrative requirements.

EFFECTIVE DATE: April 22, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. George Gamota, Acting Assistant for Research to the Deputy Under Secretary of Defense for Research and Engineering (Research and Advance Technology), room 3D1067, The Pentagon, Washington, D.C. 20301, Telephone: 202-697-4198.

SUPPLEMENTAL INFORMATION: In FR Doc. 61-11677 appearing in the FEDERAL REGISTER (26 FR 11831) on December 9, 1961, the Office of the Secretary of Defense published as a final rule DoD Directive 3210.2 establishing uniform DoD policy for granting funds to nonprofit institutions to conduct basic research. This Directive was reissued on April 26, 1966 and published in the FEDERAL REGISTER on June 7, 1966 (31 FR 8007) as a revision to part 273. An amendment to this revision was published on July 30, 1970 (35 FR 12205). The following constitutes a further revision to DoD Directive 3210.2 which (a) incorporates and implements the provisions of OMB Circular A-110; (b) limits grants to those that support research projects of excellence authorized by Pub. L. 85-934; (c) considers environmental factors; and (d) prescribes current criteria and policies.

MAURICE W. ROCHE,
Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

MAY 12, 1978.

Accordingly, 32 CFR Chapter I is amended by a revision of part 273, reading as follows: