DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Proposed Placement of Bromazepam, Camazepam, Clobazam, Clotiazepam, Chlorazepate, Fludiazepam, Flunitrazepam, Haloxazolam, Ketazolam, Loprazolam, Lorazepam, Medazepam, Nimitazepam, Nitrazepam, Nordiazepam, Oxazolam, Pinazepam, and Tetrazepam in Schedule IV

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: After consideration of the recommendation of the Assistant Secretary for Health, Department of Health and Human Services (DHHS), the Administrator of the Drug Enforcement Administration (DEA) proposes to issue a temporary order controlling 21 benzodiazepine substances in Schedule IV of the Controlled Substances Act (CSA) (21 U.S.C. 801 et seq.). The 21 benzodiazepine substances are bromazepam, camazepam, clobazam, clotiazepam, clotemazepam, clorazepate, estazolam, ethyl loflazepate, fludiazepam, flunitrazepam, haloxazolam, ketazolam, loprazolam, lorazepam, medazepam, nimitazepam, nitrazepam, nordiazepam, oxazolam, pinazepam, and tetrazepam.

This action is required in order for the United States to discharge its obligations under the Convention on Psychotropic Substances, 1971. The effects of this rule would be to require that the manufacture, distribution, dispensing, security, registration, record keeping, inventory, and exportation of each of the 21 substances be subject to controls for Schedule IV substances. The temporary scheduling order for each substance shall remain in effect until the process of permanent scheduling pursuant to 21 U.S.C. 811 is completed and for the 21 benzodiazepine substances, received in accordance with section 201(d)(3)(A) and (C) of the CSA (21 U.S.C. 811(d)(4)(A) and (C)) and delegated to the Administrator by regulations of the Department of Justice (28 CFR Part 0.100), the Administrator hereby proposes that 21 CFR 1308.14(c)(3)-(4) be revised in order to include the 21 additional benzodiazepine substances and be redesignated as §1308.14(c)(3)-(4) to read as follows:

§1308.14 Schedule IV.

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(c) * * * * *

(1) Bromazepam.......................... 2746
(2) Clobazam............................. 2749
(3) Chlordiazepoxide....................... 2744
(4) Clotiazepate........................... 2754
(5) Clorazepate............................ 2750
(6) Clorazepate, lorazepam................. 2750
(7) Clorazepate......................... 2752
(8) Clobazam............................. 2753
(9) Clobazam............................. 2753
(10) Clobazam............................ 2757
(11) Clobazam............................ 2756
(12) Clobazam............................ 2756
(13) Clobazam............................ 2756
(14) Clobazam............................ 2756
(15) Clobazam............................ 2756
(16) Clobazam............................ 2756
(17) Clobazam............................ 2756
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(23) Clobazam............................ 2756
(24) Clobazam............................ 2756
(25) Clobazam............................ 2756
(26) Lorazepam........................... 2765
(27) Lorazepam........................... 2765
(28) Lorazepam........................... 2765
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(43) Lorazepam........................... 2765
(44) Lorazepam........................... 2765
(45) Lorazepam........................... 2765

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All interested persons are invited to submit their comments in writing regarding this proposal. Comments should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, 1405 I Street NW, Washington, D.C. 20537, Attention: DEA Federal Register Representative. Pursuant to 5 U.S.C. 605(b), the Administrator certifies that the placement of the 21 benzodiazepines into Schedule IV 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). This action involves the initial control of
substances with no legitimate medical use in the United States and must be
carried out in order to fulfill United States international treaty obligations,
in any event.

In accordance with the provisions of 21 U.S.C. 811(d), this scheduling action is
a formal rulemaking that is required by United States obligations under
international convention, that is, the
Convention on Psychotropic Substances, 1971. Such formal proceedings are
conducted pursuant to the provisions of 5 U.S.C. 556 and 557, and as such, have
been exempted from the consultation requirements of Executive Order 12291
(46 FR 33193).


Frances M. Mullen, Jr.,
Administrator, Drug Enforcement
Administration.

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 2

[Docket No. 40571–4071]

Trademark Applications

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Proposed rulemaking.

SUMMARY: Patent and Trademark Office proposes amendments to the rules of
practice in trademark cases to revise and clarify the requirements for
drawings and to revise the filing date requirements for an application for
registration of a mark. The amendments also revise the requirements for
specimens submitted in connection with applications for service marks not used
in printed or written form. The proposed amendments are needed to reduce the
computer system storage space required for drawings; to insure that all
applications which are filed can be searched under the automated search
system; to insure that drawings can be faithfully reproduced by
photocomposition techniques; and to codify the existing practice in accepting
audio cassette tape recordings as specimens in connection with sound
mark applications.

DATES: Written comments by October 30, 1984.

Paragraph (c) of § 2.52 is proposed to be amended to limit the size of the mark
as depicted on the drawing sheet to 4 inches (10.3 cm) in height and 4 inches
(10.3 cm) in width, with 2.5 inches (6.1 cm) in height and width the preferable
size. At present, marks which exceed these sizes must be reduced for printing
purposes and for display on a computer terminal. This may result in a loss of
clearly. If details, such as color linings, which are part of the mark will be
precluded by the size limitation, it is proposed that a verbal description be
inserted in the application instead.

Paragraph (e) of § 2.52, as proposed, amends the depiction of the color chart to
indicate that larger spaces between lines are preferred for color linings.
Reducing the density of the color lining will improve the clarity of the marks
when they are reproduced.

Section 2.54 is proposed to be removed since proposed § 2.21 will make this
section unnecessary.

Section 2.58, paragraph (b), is proposed to be amended to allow tape
cassette recordings rather than disc recordings to be submitted as specimens
for service marks not used in printed or written form. This codifies the present
practice. In view of this proposed amendment, paragraph (b) is also
proposed to be amended by eliminating the provision that the Office will arrange
to have disc recordings made from any type of recording the applicant submits.

The Patent and Trademark Office has determined that this rule change is not a
major rule under Executive Order 12291. The annual effect on the economy will
be less than $100 million. There will be no major increase in costs or prices for
consumers, individual industries, federal, state, or local government agencies,
or geographic regions. There will be no significant adverse effects on
competition, employment, investment, productivity, innovation, or on the
ability of United States-based enterprises to compete with foreign-
based enterprises in domestic or export markets.

The General Counsel of the
Department of Commerce certified to the Small Business Administration that
the rule change will not have a significant adverse economic impact on a
substantial number of small entities (Regulatory Flexibility Act, Pub. L. 96–
354) since any additional burden would be minimal and not disproportionate in
effect.

This rule contains no new information collection requirement for the purpose of the Paperwork Reduction Act of 1995, 44
U.S.C. 3501 et seq. The existing application requirements referenced in