



UNITED NATIONS

E/NL.1963/29-30

29 July 1963

ENGLISH ONLY

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION OF 13 JULY 1931 FOR
LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, AS
AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

UNITED STATES OF AMERICA

Communicated by the Government of the United States of America

NOTE BY THE SECRETARY-GENERAL-- In accordance with Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate the following legislative texts.

Federal Register
Washington, Thursday, 28 March 1963

E/NL.1963/29

Chapter II - Bureau of Narcotics, Department of the Treasury
(T.D. No. 70)

PART 302 - IMPORTATION AND EXPORTATION OF NARCOTIC DRUGS

Subpart A - Imports

The 1953 Opium Protocol, restricting importation of opium by Contracting Parties to opium produced in a country which is permitted such production thereby and which has become a Party thereto, came into force on March 8, 1963. In order that the pertinent regulations of the Bureau of Narcotics may conform to the 1953 Opium Protocol, it is necessary that §302.1, Part 302, Chapter II, Title 21 of the Code of Federal Regulations be amended.

Accordingly, §302.1 is hereby amended, by the addition thereto of a new sentence immediately preceding the last, currently effective sentence. As amended §302.1 reads as follows:

§302.1 Importation

Crude opium and coca leaves may only be imported under formal permit issued by the Commissioner of Narcotics (referred to in this part as the Commissioner) pursuant to a duly executed application therefor, and after a determination by said Commissioner that the quantity of crude opium or coca leaves requested in the application is necessary to provide for, and will be applied to, medical and legitimate uses only. An exception to so much of this rule as requires a formal permit may be made in the case of an emergency which, in the judgment of the Commissioner, so affects the welfare of all or a large proportion of the population as to justify such extraordinary action. No permit shall be granted for the importation of opium to be manufactured into heroin, its salts, derivatives, or preparations. No permit shall be granted for the importation of opium unless such opium has been produced in a country permitted such production by, and which has become a Party to, the 1953 Opium Protocol. No importation by mail shall be permitted.

Because this amendment conforms §302.1 with the obligations assumed by the United States in the 1953 Opium Protocol, and is issued pursuant to the authority granted the Commissioner of Narcotics under 21 U.S.C. 173, it is hereby found that it is unnecessary to issue this Treasury Decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act:

Effective date. This Treasury Decision shall become **effective upon** publication in the **FEDERAL REGISTER**.

(35 Stat. 614, as amended (21 U.S.C. 173) ; 1953 Opium Protocol, T.I.A.S. No.5273)

(Seal)

Approved:

JAMES A. REED

Assistant Secretary of the Treasury

(F.R.Doc.63.3287; Filed, Mar. 27, 1963; 8.54 a.m.)

HENRY L. GIORDANO

Commissioner of Narcotics

Federal Register
2 April 1963

E/NL.1963/30

Chapter II - Bureau of Narcotics, Department of the Treasury
(T.D. 71)

PART 305 - OPIATES

Pethidine-intermediate-C classified as an Opiate

Notice is hereby given pursuant to the provisions of section 5(b) of the Narcotics Manufacturing Act of 1960, 74 Stat. 60, 21 U.S.C 503(b), Supp.III and 21 CFR 307.61(b)^{1/} that the United States has received notification under date of December 26, 1962, from the Secretary-General of the United Nations that the World Health Organization has found a certain substance, not heretofore determined to be an opiate, to fall under the regime laid down in the 1931 Convention for the drugs specified in Article 1, paragraph 2, Group I of that Convention.

The substance and its salts to which the World Health Organization decision relates and which has been found by that Organization to be convertible into a drug capable of producing addiction is:

(Pethidine-intermediate-C) 1-methyl-4-phenylpiperidine-4-carboxylic acid.

Accordingly, § 305.2(b) is amended by adding a new drug to the chronological list of findings. As amended, § 305.2(b) reads as follows:

§305.2 Chronological list of findings. * * * *

(b) The following is a chronological list of drugs or other substances found by the World Health Organization as being capable of producing addiction or of conversion into a drug or other substance capable of producing addiction and designated as opiates by the Commissioner of Narcotics pursuant to the provisions of §307.61(b) of this chapter. Drugs and other substances listed include any salts thereof.

June 20, 1962

(Methadone-intermediate) 4-cyano-2-dimethylamino-4,4 diphenylbutane.

(Pethidine-intermediate-A) 4-cyano-1-methyl-4-phenylpiperidine.

(Moramide-intermediate) 2-methyl-3-morpholino-1,1-diphenylpropanecarboxylic acid.

April 2, 1963

(Pethidine-intermediate-C) 1-methyl-4-phenylpiperidine-4-carboxylic acid.

Because this amendment of §305.2(b) merely adds to the chronological list of findings a new drug designated by the World Health Organization as being convertible into a drug capable of producing addiction and therefore recognized and published as an opiate by the Commissioner of Narcotics under the provisions of section 5(b) of the Narcotics Manufacturing Act of 1960, 74 Stat. 60, 21 U.S.C. 503(b), Supp.III and 21 CFR 307.61(b), it is hereby found that it is unnecessary to issue this Treasury Decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

Effective date. This Treasury Decision shall become effective upon publication in the Federal Register.

(Sec.5(b) Pub.Law 86-429 (74 Stat.60); sec.17, Pub.Law 86-429 (74 Stat.67))

(Seal)

HENRY L. GIORDANO,
Commissioner of Narcotics

Approved: March 25, 1963.

JAMES A. REED
Assistant Secretary of the Treasury

(F.R. Doc. 63-3394; Filed, April 1, 1963; 8.48 a.m.)

^{1/} Note by the Secretariat: E/NL.1961/82.