

laws of the country to which the chemical is exported. The Administration will publish a notice of foreign import restrictions for listed chemicals of which DEA has knowledge as provided in § 1313.25.

6. A new undesignated center heading is added preceding § 1313.31 to read as follows:

Transshipments, In-Transit Shipments and International Transactions Involving Listed Chemicals

7. Sections 1313.32, 1313.33, and 1313.34 are added to read as follows:

1313.32 Requirement of authorization for international transactions.

1313.33 Contents of an international transaction declaration.

1313.34 Distribution of the international transaction declaration.

§ 1312.32 Requirement of authorization for international transactions.

(a) A broker or trader shall notify the Administrator prior to an international transaction involving a listed chemical which meets or exceeds the threshold amount identified in Section 1310.04 of this chapter, in which the broker or trader participates. Notification must be made no later than 15 days before the transaction is to take place. In order to facilitate an international transaction involving listed chemicals and implement the purpose of the Act, regulated persons may wish to provide advance notification to the Administration as far in advance of the 15 days as possible.

(b) (1) A completed DEA Form 486 must be received at the following address not later than 15 days prior to the international transaction:

Drug Enforcement Administration, P.O. Box 28346, Washington, D.C. 20038

(2) A copy of the DEA Form 486 may be transmitted directly to the Drug Enforcement Administration, Chemical Operations Section, through electronic facsimile media not later than 15 days prior to the exportation.

(c) No person shall serve as a broker or trader for an international transaction involving a listed chemical knowing or having reasonable cause to believe that the transaction is in violation of the laws of the country to which the chemical is exported or the chemical will be used to manufacture a controlled substance in violation of the laws of the country to which the chemical is exported. The Administration will publish a notice of foreign import restrictions for listed chemicals of which DEA has knowledge as provided in Section 1313.25.

§ 1313.33 Contents of an international transaction declaration.

(a) An international transaction involving a chemical listed in § 1310.02 of this chapter which meets the threshold criteria established in § 1310.04 of this chapter may be arranged by a broker or trader if the chemical is needed for medical, commercial, scientific, or other legitimate uses.

(b) Any broker or trader who desires to arrange an international transaction involving a listed chemical which meets the criteria set forth in Section 1310.04 shall notify the Administration through the procedures outlined in Section 1313.32(b).

(c) The DEA Form 486 must be executed in triplicate and must include all the following information:

(1) The name, address, telephone number, telex number, and, where available, the facsimile number of the chemical exporter; the name, address, telephone number, telex number, and, where available, the facsimile number of the chemical importer;

(2) The name and description of each listed chemical as it appears on the label or container, the name of each listed chemical as it is designated in Section 1310.02 of this chapter, the size or weight of container, the number of containers, the net weight of each listed chemical given in kilograms or parts thereof, and the gross weight of the shipment given in kilograms or parts thereof;

(3) The proposed export date, the port of exportation, and the port of importation; and

(4) The name, address, telephone, telex, and where available, the facsimile number, of the consignee in the country where the chemical shipment is destined; the name(s) and address(es) of any intermediate consignee(s).

§ 1313.34 Distribution of the international transaction declaration.

The required three copies of the DEA Form 486 will be distributed as follows:

(a) Copies 1 and 3 shall be retained on file by the broker or trader as the official record of the international transaction. Declaration forms involving List I chemicals shall be retained for List II chemicals shall be retained for two years.

(b) Copy 2 is the Drug Enforcement Administration copy used to fulfill the notification requirements of Section 1313.32.

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7. In the heading of part 1313, the undesignated center heading preceding section 1313.12, and the undesignated center heading preceding section

1313.21 remove the words "Precursors and Essential Chemicals" and add, in their place, the words "Listed Chemicals";

§ 1313.01 [Amended]

8. In Section 1313.01 remove the words "precursors and essential chemicals" and add, in their place, the words "listed chemicals";

§ 1313.14 [Amended]

9. In Section 1313.14 introductory text, and in Section 1313.23 introductory text, remove the words "precursor and essential chemical" and add, in their place, "listed chemical".

§ 1313.13 [Amended]

10. In Sections 1313.13(a) and 1313.22(a) DEA is removing the words "precursor or essential chemical" and adding, in their place, the words "List I or List II chemical".

§ 1313.14 [Amended]

11. In Sections 1313.14(a) and 1313.23(a) DEA is removing the words "listed precursor chemical" and "listed essential chemical" and adding, in their place, the words "List I chemical" and "List II chemical" respectively.

PART 1316—[AMENDED]

1. The authority citation for part 1316 is amended to read as follows:

Authority: 21 U.S.C. 822(f), 830(a), 871(b), 880, 958(f), 965.

2. Section 1316.02 is amended by revising paragraph (c)(2) to read as follows:

§ 1316.02 Definitions.

* * * * *

(c) * * *

(2) Places, including factors, warehouses, or other establishments and conveyances, where persons registered under the Act or exempted from registration under the Act, or regulated persons may lawfully hold, manufacture, or distribute, dispense, administer, or otherwise dispose of controlled substances or listed chemicals or where records relating to those activities are maintained.

* * * * *

3. Section 1316.03 is amended by revising paragraphs (b), (c), (d) and (e) to read as follows:

§ 1316.03 Authority to make inspections.

* * * * *

(b) Inspecting within reasonable limits and to a reasonable manner all pertinent equipment, finished and unfinished controlled substances, listed chemicals, and other substances or materials, containers, and labeling