

note); E.O. 12829, 3 CFR 1993 Comp., p.570; E.O. 12958, as amended, 3 CFR, 1995 Comp., p.333; E.O. 12968, 3 CFR 1995 Comp., p. 391.

#### **§ 95.1 [Amended]**

■ 2. In § 95.1, in the first sentence, remove the words “security facility approval,” and add in their place the words “facility security clearance.”

#### **§ 95.9 [Amended]**

■ 3. In § 95.9, remove the words “Facilities and” and add in their place the word “Nuclear.”

#### **§ 95.19 [Amended]**

■ 4. In § 95.19, the introductory text of paragraph (a), in the second sentence, remove the words “Facilities and Security, Office of Administration” and add in their place the words “Nuclear Security, Office of Nuclear Security and Incident Response.” In the third sentence, remove the words “Facilities and,” and add in their place the word “Nuclear,” and in paragraph (c), remove the words “Facilities and” and add in their place the word “Nuclear.”

#### **§ 95.20 [Amended]**

■ 5. In § 95.20, in the first sentence, remove the words “Facilities and” and add in their place the word “Nuclear.”

#### **§ 95.21 [Amended]**

■ 6. In § 95.21, in the first sentence, remove the words “Facilities and” and add in their place the word “Nuclear.”

#### **§ 95.36 [Amended]**

■ 7. In § 95.36, in paragraph (a), in the first sentence, remove the words “Facilities and” and add in their place the word “Nuclear.” In paragraph (c), in the first sentence, remove the words “Facilities and” and add in their place the word “Nuclear,” and in paragraph (d), in the third and fourth sentences, remove the words “Facilities and” and add in their place the word “Nuclear.”

■ 8. In § 95.37, paragraph (c)(1)(iii) is revised to read as follows:

#### **§ 95.37 Classification and preparation of documents.**

(c) \* \* \*

(1) \* \* \*

(iii) An example of the marking stamp is as follows:

Derived from \_\_\_\_\_  
(Source/Date)

Reason: \_\_\_\_\_

Declassify On: \_\_\_\_\_  
(Date/Event/Exemption)

Classifier: \_\_\_\_\_  
(Name/Title/Number)

\* \* \* \* \*

#### **§ 95.45 [Amended]**

■ 9. In § 95.45, in paragraph (a), in the second sentence, remove the words “Facilities and Security, Office of Administration,” and add in their place the words “Nuclear Security, Office of Nuclear Security and Incident Response,” and in the third sentence, remove the words “Facilities and” and add in their place the word “Nuclear.”

#### **§ 95.53 [Amended]**

■ 10. In § 95.53, in the third sentence, remove the words “Facilities and” and add in their place the word “Nuclear.”

#### **§ 95.57 [Amended]**

■ 11. In § 95.57, paragraph (c), in the first sentence, remove the words “Facilities and” and add in their place the word “Nuclear,” and in the third sentence, remove the words “Facilities and” and add in their place the word “Nuclear.”

Dated at Rockville, Maryland, this 25th day of June 2003.

For the Nuclear Regulatory Commission.

**William D. Travers,**

*Executive Director for Operations.*

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## **DEPARTMENT OF JUSTICE**

### **Drug Enforcement Administration**

#### **21 CFR Parts 1300, 1301, 1304, 1305, and 1307**

**[Docket No. DEA-108I]**

**RIN 1117-AA19**

#### **Definition and Registration of Reverse Distributors**

**AGENCY:** Drug Enforcement Administration (DEA), Justice.

**ACTION:** Interim final rule with request for comment.

**SUMMARY:** DEA is amending its regulations to define the term “reverse distributor” and to establish a new category of registration for persons handling controlled substances. The amendments establish the regulatory standards under which reverse distributors may handle unwanted, unusable, or outdated controlled substances acquired from another DEA registrant. These standards ensure the proper documentation and recordkeeping necessary to prevent diversion of such controlled substances to illegal purposes. Since this amendment mostly codifies DEA’s existing practices, it will have no significant impact on existing reverse distributors.

**DATES:** Effective Date: August 11, 2003.

**Comment Date:** Written comments must be postmarked on or before September 9, 2003.

**ADDRESSES:** Comments should be submitted to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, Attention: DEA **Federal Register** Representative/CCR.

**FOR FURTHER INFORMATION CONTACT:** Patricia M. Good, Chief, Liaison and Policy Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537. Telephone (202) 307-7297.

#### **SUPPLEMENTARY INFORMATION:**

#### **Overview of and Benefits of This Interim Final Rule**

As is more fully discussed in this preamble, this interim final rule mostly codifies existing practices that reverse distributors follow under memoranda of understanding (MOUs) with the Drug Enforcement Administration. This approach is consistent with the comments received (also discussed more fully later in this preamble) that stated that reverse distributors would be significantly and adversely impacted if, as was proposed, they were classified as manufacturers. In recognizing this activity as a separate registration category of distributors, DEA believes the entire controlled substances industry will benefit. Existing reverse distributors operating under MOUs will become fully recognized registrants under DEA rules. Thousands of other registrants who need to dispose of unneeded or outdated inventories will be able to turn to a fully registered group of distributors. Furthermore, by essentially codifying existing practices these benefits will be achieved with minimal need for change or for disruption to the affected industry.

#### **Background**

The overall goal of the Controlled Substances Act (CSA) and of DEA’s regulations in Title 21, Code of Federal Regulations (CFR), parts 1300-1316 is to provide a closed distribution system so that a controlled substance is at all times under the legal control of a person registered, or specifically exempted from registration, by the Drug Enforcement Administration until it reaches the ultimate user or is destroyed. DEA achieves this goal by registering manufacturers, distributors, and dispensers of controlled substances. Thus, any movement of controlled substances between these registered persons is covered by DEA regulations,