

phenylpropanolamine product" under § 1300.02(b)(31) of this chapter.

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**PART 1310—RECORDS AND REPORTS OF LISTED CHEMICALS AND CERTAIN MACHINES [AMENDED]**

■ 1. The authority citation for part 1310 continues to read as follows:

**Authority:** 21 U.S.C. 802, 830, 871(b).

■ 2. Section 1310.03 is amended by revising paragraph (c) to read as follows:

**§ 1310.03 Persons required to keep records and file reports.**

\* \* \* \* \*

(c) Each regulated person who engages in a transaction with a nonregulated person or who engages in an export transaction that involves ephedrine, pseudoephedrine, or phenylpropanolamine, including drug products containing these chemicals, and uses or attempts to use the Postal Service or any private or commercial carrier must file monthly reports of each

such transaction as specified in § 1310.05 of this part.

■ 3. Section 1310.04 is amended by revising paragraphs (f)(1)(ii), (c)(1) and (c)(2), (d)(2), (e)(1) and (e)(2), and (f)(2) to read as follows:

**§ 1310.04 Maintenance of records.**

\* \* \* \* \*

(f) \* \* \*

(1) \* \* \*

(ii) \* \* \*

Chemical	Threshold by weight
(C) * * *	
(1) Distributions by retail distributors .....	9 grams, and sold in package sizes of not more than 3 grams of pseudoephedrine base.
(2) Distributions by persons required to report under § 1310.03(c) of this part.	9 grams, and sold in package sizes of not more than 3 grams of pseudoephedrine base.
* * * * *	
(D) * * *	
(2) Distributions by persons required to report under § 1310.03(c) of this part.	9 grams, and sold in package sizes of not more than 3 grams of pseudoephedrine base.
* * * * *	
(E) * * *	
(1) Distributions by retail distributors .....	9 grams, and sold in package sizes of not more than 3 grams of phenylpropanolamine base.
(2) Distributions by persons required to report under § 1310.03(c) of this part.	9 grams, and sold in package sizes of not more than 3 grams of phenylpropanolamine base.
* * * * *	
(F) * * *	
(2) Distributions by persons required to report under § 1310.03(c) of this part.	9 grams, and sold in package sizes of not more than 3 grams of phenylpropanolamine base.

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■ 4. Section 1310.05 is amended by adding new paragraphs (f) and (g) to read as follows:

**§ 1310.05 Reports.**

\* \* \* \* \*

(f) Except as provided in paragraph (g) of this section, the following distributions to nonregulated persons, and the following export transactions, are not subject to the reporting requirements in § 1310.03(c):

(1) Distributions of sample packages of drug products when those packages contain not more than two solid dosage units or the equivalent of two dosage units in liquid form, not to exceed 10 milliliters of liquid per package, and not more than one package is distributed to an individual or residential address in any 30-day period.

(2) Distributions of drug products by retail distributors that may not include face-to-face transactions to the extent that such distributions are consistent with the activities authorized for a retail distributor as specified in § 1300.02(b)(29) of this chapter.

(3) Distributions of drug products to a resident of a long term care facility or distributions of drug products to a long term care facility for dispensing to or for use by a resident of that facility.

(4) Distributions of drug products in accordance with a valid prescription.

(5) Exports which have been reported to the Administrator under §§ 1313.31 and 1313.32 of this chapter or which are subject to a waiver granted under § 1313.21 of this chapter.

(g) The Administrator may revoke any or all of the exemptions listed in paragraph (f) of this section for an individual regulated person if the Administrator finds that drug products distributed by the regulated person are being used in violation of the regulations in this chapter or the Controlled Substances Act. The Administrator will notify the regulated person of the revocation, as provided in § 1313.41(a) of this chapter. The revocation will be effective upon receipt of the notice by the person. The regulated person has the right to an expedited hearing regarding the revocation, as provided in § 1313.56(a) of this chapter.

Dated: September 29, 2003.

**Laura M. Nagel,**

*Deputy Assistant Administrator, Office of Diversion Control.*

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**24 CFR Part 982**

**[Docket No. FR-4759-C-04]**

**RIN 2577-AC39**

**Housing Choice Voucher Program Homeownership Option: Eligibility of Units Owned or Controlled by a Public Housing Agency; Correction**

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Final rule; correction.

**SUMMARY:** On September 17, 2003, HUD published a final rule adopting without change an October 28, 2002, interim rule establishing the eligibility of units owned or substantially controlled by a