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## Title 21 – Food and Drugs

### Chapter II – Drug Enforcement Administration, Department of Justice

#### Part 1310 – Records and Reports of Listed Chemicals and Certain Machines; Importation and Exportation of Certain Machines

**Authority:** 21 U.S.C. 802, 827(h), 830, 871(b) 890.

**Source:** 54 FR 31665, Aug. 1, 1989, unless otherwise noted.

#### § 1310.02 Substances covered.

The following chemicals have been specifically designated by the Administrator of the Drug Enforcement Administration as the listed chemicals subject to the provisions of this part and parts 1309 and 1313 of this chapter. Each chemical has been assigned the DEA Chemical Code Number set forth opposite it.

##### (a) List I chemicals

(1) Alpha-phenylacetoacetonitrile and its salts, optical isomers, and salts of optical isomers (APAAN)	8512
(2) Anthranilic acid, its esters, and its salts	8530
(3) Benzyl cyanide	8735
(4) Ephedrine, its salts, optical isomers, and salts of optical isomers	8113
(5) Ergonovine and its salts	8675
(6) Ergotamine and its salts	8676
(7) N-Acetylanthranilic acid, its esters, and its salts	8522
(8) Norpseudoephedrine, its salts, optical isomers, and salts of optical isomers	8317
(9) Phenylacetic acid, its esters, and its salts	8791
(10) Phenylpropanolamine, its salts, optical isomers, and salts of optical isomers	1225
(11) Piperidine and its salts	2704
(12) Pseudoephedrine, its salts, optical isomers, and salts of optical isomers	8112
(13) 3,4-Methylenedioxyphenyl-2-propanone	8502
(14) Methylamine and its salts	8520
(15) Ethylamine and its salts	8678
(16) Propionic anhydride	8328
(17) Isosafrole	8704
(18) Safrole	8323
(19) Piperonal	8750
(20) N-Methylephedrine, its salts, optical isomers, and salts of optical isomers (N-Methylephedrine)	8115
(21) N-Methylpseudoephedrine, its salts, optical isomers, and salts of optical isomers	8119
(22) Hydriodic Acid	6695
(23) Benzaldehyde	8256
(24) Nitroethane	6724
(25) Gamma-Butyrolactone (Other names include: GBL; Dihydro-2 (3H)-furanone; 1,2-Butanolide;	2011

1,4-Butanolide; 4-Hydroxybutanoic acid lactone; gamma-hydroxybutyric acid lactone)	
(26) Red phosphorus	6795
(27) White phosphorus (Other names: Yellow Phosphorus)	6796
(28) Hypophosphorous acid and its salts (Including ammonium hypophosphite, calcium hypophosphite, iron hypophosphite, potassium hypophosphite, manganese hypophosphite, magnesium hypophosphite and sodium hypophosphite)	6797
(29) N-phenethyl-4-piperidone (NPP)	8332
(30) Iodine	6699
(31) Ergocristine and its salts	8612
(32)N-(1-benzylpiperidin-4-yl)-N-phenylpropionamide (benzylfentanyl) and its salts	8334
(33)N-phenylpiperidin-4-amine(4-anilinopiperidine; N-phenyl-4-piperidinamine; 4-AP), its amides, its carbamates, and its salts	8335
(34) 3,4-MDP-2-P methyl glycidate (PMK glycidate) and its optical and geometric isomers	8535
(35) 3,4-MDP-2-P methyl glycidic acid (PMK glycidic acid) and its salts, optical and geometric isomers, and salts of isomers	8525
(36) Alpha-phenylacetoacetamide (APAA) and its optical isomers	8515
(37) methyl <i>alpha</i> -phenylacetoacetate (MAPA; methyl 3-oxo-2-phenylbutanoate) and its optical isomers	8795
(38) 4-piperidone (piperidin-4-one), its acetals, its amides, its carbamates, its salts, and salts of its acetals, its amides, and its carbamates, and any combination thereof, whenever the existence of such is possible.	8330
(39) 1-boc-4-AP ( <i>tert</i> -butyl 4-(phenylamino)piperidine-1-carboxylate) and its salts	8336

(b) List II chemicals:

(1) Acetic anhydride	8519
(2) Acetone	6532
(3) Benzyl chloride	8570
(4) Ethyl ether	6584
(5) Potassium permanganate	6579
(6) 2-Butanone (or Methyl Ethyl Ketone or MEK)	6714
(7) Toluene	6594
(8) Hydrochloric acid (including anhydrous hydrogen chloride)	6545
(9) Sulfuric acid	6552
(10) Methyl Isobutyl Ketone (MIBK)	6715
(11) Sodium Permanganate	6588

(c) The Administrator may add or delete a substance as a listed chemical by publishing a final rule in the FEDERAL REGISTER following a proposal which shall be published at least 30 days prior to the final rule.

(d) Any person may petition the Administrator to have any substance added or deleted from paragraphs (a) or (b) of this section.

(e) Any petition under this section shall contain the following information:

- (1) The name and address of the petitioner;
  - (2) The name of the chemical to which the petition pertains;
  - (3) The name and address of the manufacturer(s) of the chemical (if known);
  - (4) A complete statement of the facts which the petitioner believes justifies the addition or deletion of the substance from paragraphs (a) or (b) of this section;
  - (5) The date of the petition.
- (f) The Administrator may require the petitioner to submit such documents or written statements of fact relevant to the petition as he deems necessary in making a determination.
- (g) Within a reasonable period of time after the receipt of the petition, the Administrator shall notify the petitioner of his decision and the reason therefor. The Administrator need not accept a petition if any of the requirements prescribed in paragraph (e) of this section or requested pursuant to paragraph (f) of this section are lacking or are not clearly set forth as to be readily understood. If the petitioner desires, he may amend and resubmit the petition to meet the requirements of paragraphs (e) and (f) of this section.
- (h) If a petition is granted or the Administrator, upon his own motion, proposes to add or delete substances as listed chemicals as set forth in paragraph (c) of this section, he shall issue and publish in the FEDERAL REGISTER a proposal to add or delete a substance as a listed chemical. The Administrator shall permit any interested person to file written comments regarding the proposal within 30 days of the date of publication of his order in the FEDERAL REGISTER. The Administrator will consider any comments filed by interested persons and publish a final rule in accordance with his decision in the matter.

*[54 FR 31665, Aug. 1, 1989, as amended at 56 FR 48733, Sept. 26, 1991; 57 FR 43615, Sept. 22, 1992; 60 FR 19510, Apr. 19, 1995; 60 FR 32460, June 22, 1995; 62 FR 5917, Feb. 10, 1997; 65 FR 21647, Apr. 24, 2000; 65 FR 47316, Aug. 2, 2000; 66 FR 52675, Oct. 17, 2001; 71 FR 60826, Oct. 17, 2006; 72 FR 20046, Apr. 23, 2007; 72 FR 35391, July 2, 2007; 72 FR 40238, July 24, 2007; 76 FR 17781, Mar. 31, 2011; 82 FR 32460, July 14, 2017; 85 FR 20828, Apr. 15, 2020; 86 FR 24707, May 10, 2021; 86 FR 64366, Nov. 18, 2021; 87 FR 67552, Nov. 9, 2022; 88 FR 21909, Apr. 12, 2023]*