

§ 1316.62

presiding officer to take, or his objection to an action taken, and his grounds therefor.

§ 1316.62 Appeal from ruling of presiding officer.

Rulings of the presiding officer may not be appealed to the Administrator prior to his consideration of the entire hearing, except with the consent of the presiding officer and where he certifies on the record or in writing that the allowance of an interlocutory appeal is clearly necessary to prevent exceptional delay, expense, or prejudice to any party or substantial detriment to the public interest. If an appeal is allowed, any party in the hearing may file a brief in quintuplicate with the Administrator within such period that the presiding officer directs. No oral argument will be heard unless the Administrator directs otherwise.

§ 1316.63 Official transcript; index; corrections.

(a) Testimony given at a hearing shall be reported verbatim. The Administration will make provision for a stenographic record of the testimony and for such copies of the transcript thereof as it requires for its own purpose.

(b) At the close of the hearing, the presiding officer shall afford the parties and witnesses time (not longer than 30 days, except in unusual cases) in which to submit written proposed corrections of the transcript, pointing out errors that may have been made in transcribing the testimony. The presiding officer shall promptly thereafter order such corrections made as in his judgment are required to make the transcript conform to the testimony.

[36 FR 7820, Apr. 24, 1971, as amended at 36 FR 13387, July 21, 1971. Redesignated at 38 FR 26609, Sept. 24, 1973, and amended at 50 FR 2046, Jan. 15, 1985]

§ 1316.64 Proposed findings of fact and conclusions of law.

Any party in the hearing may file in quintuplicate proposed findings of fact and conclusions of law within the time fixed by the presiding officer. Any party so filing shall also serve one copy of his proposed findings and conclusion upon each other party in the hearing.

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The party shall include a statement of supporting reasons for the proposed findings and conclusions, together with evidence of record (including specific and complete citations of the pages of the transcript and exhibits) and citations of authorities relied upon.

§ 1316.65 Report and record.

(a) As soon as practicable after the time for the parties to file proposed findings of fact and conclusions of law has expired, the presiding officer shall prepare a report containing the following:

(1) His recommended rulings on the proposed findings of fact and conclusions of law;

(2) His recommended findings of fact and conclusions of law, with the reasons therefore; and

(3) His recommended decision.

(b) The presiding officer shall serve a copy of his report upon each party in the hearing. The report shall be considered to have been served when it is mailed to such party or its attorney of record.

(c) Not less than twenty-five days after the date on which he caused copies of his report to be served upon the parties, the presiding officer shall certify to the Administrator the record, which shall contain the transcript of testimony, exhibits, the findings of fact and conclusions of law proposed by the parties, the presiding officer's report, and any exceptions thereto which may have been filed by the parties.

[36 FR 7778, Apr. 24, 1971. Redesignated at 38 FR 26609, Sept. 24, 1973 and amended at 44 FR 55332, Sept. 26, 1979]

§ 1316.66 Exceptions.

(a) Within twenty days after the date upon which a party is served a copy of the report of the presiding officer, such party may file with the Hearing Clerk, Office of the Administrative Law Judge, exceptions to the recommended decision, findings of fact and conclusions of law contained in the report. The party shall include a statement of supporting reasons for such exceptions, together with evidence of record (including specific and complete citations of the pages of the transcript and exhibits) and citations of the authorities relied upon.

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(b) The Hearing Clerk shall cause such filings to become part of the record of the proceeding.

(c) The Administrative Law Judge may, upon the request of any party to a proceeding, grant time beyond the twenty days provided in paragraph (a) of this section for the filing of a response to the exceptions filed by another party if he determines that no party in the hearing will be unduly prejudiced and that the ends of justice will be served thereby. Provided however, that each party shall be entitled to only one filing under this section; that is, either a set of exceptions or a response thereto.

[44 FR 55332, Sept. 26, 1979]

§ 1316.67 Final order.

As soon as practicable after the presiding officer has certified the record to the Administrator, the Administrator shall cause to be published in the FEDERAL REGISTER his final order in the proceeding, which shall set forth the final rule and the findings of fact and conclusions of law upon which the rule is based. This order shall specify the date on which it shall take effect, which date shall not be less than 30 days from the date of publication in the FEDERAL REGISTER unless the Administrator finds that the public interest in the matter necessitates an earlier effective date, in which event the Administrator shall specify in the

order his findings as to the conditions which led him to conclude that an earlier effective date was required.

[44 FR 42179, July 19, 1979, as amended at 44 FR 55332, Sept. 26, 1979]

§ 1316.68 Copies of petitions for judicial review.

Copies of petitions for judicial review, filed pursuant to section 507 of the Act (21 U.S.C. 877) shall be delivered to and served upon the Administrator in quintuplicate. The Administrator shall certify the record of the hearing and shall file the certified record in the appropriate U.S. Court of Appeals.

[36 FR 7820, Apr. 24, 1971. Redesignated at 44 FR 42179, July 19, 1979]

PART 1321—DEA MAILING ADDRESSES

Sec.

1321.01 DEA mailing addresses.

AUTHORITY: 21 U.S.C. 871(b).

SOURCE: 75 FR 10685, Mar. 9, 2010, unless otherwise noted.

§ 1321.01 DEA mailing addresses.

The following table provides information regarding mailing addresses to be used when sending specified correspondence to the Drug Enforcement Administration.

TABLE OF DEA MAILING ADDRESSES

Code of Federal Regulations Section—Topic	DEA Mailing address
DEA Administrator	
1308.43(b)—Petition to initiate proceedings for rulemaking	Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, VA 22152.
316.23(b)—Petition for grant of confidentiality for research subjects.	
1316.24(b)—Petition for exemption from prosecution for researchers.	
1316.48—Notice of appearance.	
DEA Office of Diversion Control	
1301.52(c)—Controlled substances registration return for cancellation	Drug Enforcement Administration, Attn: Office of Diversion Control/OD, 8701 Morrisette Drive, Springfield, VA 22152.
1307.03—Exception request filing.	
1307.22—Disposal of controlled substances by the Administration delivery application.	
1308.21(a)—Exclusion of nonnarcotic substance.	
1308.23(b)—Exemption for chemical preparations.	
1308.25(a)—Exclusion of veterinary anabolic steroid implant product application.	
1308.31(a)—Exemption of a nonnarcotic prescription product application.	
1308.33(b)—Exemption of certain anabolic steroid products application.	
1310.13(b)—Exemption for chemical preparations.	
1310.21(b)—Sale by Federal departments or agencies of chemicals which could be used to manufacture controlled substances certification request.	