

chemicals to be handled, unless exempted by law or pursuant to §§ 1309.24 through 1309.28 of this part.

[61 FR 32926, June 26, 1996, as amended at 62 FR 13968, Mar. 24, 1997]

§ 1309.22 Separate registration for independent activities.

(a) The following groups of activities are deemed to be independent of each other:

- (1) Retail distributing of List I chemicals;
- (2) Non-Retail distributing of List I chemicals;
- (3) Importing List I chemicals; and
- (4) Exporting List I chemicals.

(b) Every person who engages in more than one group of independent activities shall obtain a separate registration for each group of activities, unless otherwise exempted by the Act or §§ 1309.24 through 1309.28 of this part, except that a person registered to import any List I chemical shall be authorized to distribute that List I chemical after importation, but no other chemical that the person is not registered to import.

[60 FR 32454, June 22, 1995, as amended at 61 FR 32926, June 26, 1996]

§ 1309.23 Separate registration for separate locations.

(a) A separate registration is required for each principal place of business at one general physical location where List I chemicals are distributed, imported, or exported by a person.

(b) The following locations shall be deemed to be places not subject to the registration requirement:

(1) A warehouse where List I chemicals are stored by or on behalf of a registered person, unless such chemicals are distributed directly from such warehouse to locations other than the registered location from which the chemicals were originally delivered; and

(2) An office used by agents of a registrant where sales of List I chemicals are solicited, made, or supervised but which neither contains such chemicals (other than chemicals for display purposes) nor serves as a distribution point for filling sales orders.

§ 1309.24 Exemption of agents and employees.

The requirement of registration is waived for any agent or employee of a person who is registered to engage in any group of independent activities, if such agent or employee is acting in the usual course of his or her business or employment.

§ 1309.25 Exemption of certain controlled substance registrants.

(a) The requirement of registration is waived for any person who distributes a product containing a List I chemical that is regulated pursuant to § 1310.01(b)(28)(i)(D), if that person is registered with the Administration to manufacture, distribute or dispense a controlled substance.

(b) The requirement of registration is waived for any person who imports or exports a product containing a List I chemical that is regulated pursuant to § 1310.01(b)(28)(i)(D), if that person is registered with the Administration to engage in the same activity with a controlled substance.

(c) The Administrator may, upon finding that continuation of the waiver would not be in the public interest, suspend or revoke a person's waiver pursuant to the procedures set forth in §§ 1309.43 through 1309.46 and 1309.51 through 1309.57. In considering the revocation or suspension of a person's waiver, the Administrator shall also consider whether action to revoke or suspend the person's controlled substance registration pursuant to 21 U.S.C. 824 is warranted.

(d) Any person exempted from the registration requirement under this section shall comply with the security requirements set forth in Sections 1309.71-1309.73 and the recordkeeping and reporting requirements set forth under Parts 1310 and 1313 of this chapter.

[60 FR 32454, June 22, 1995, as amended at 62 FR 13968, Mar. 24, 1997]

§ 1309.26 Exemption of law enforcement officials.

(a) The requirement of registration is waived for the following persons in the circumstances described in this section: