

PART 1316 — ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

SUBPART D — ADMINISTRATIVE HEARINGS

§1316.42 Definitions.

As used in this subpart, the following terms shall have the meanings specified:

(a) The term *Act* means the Controlled Substances Act (84 Stat. 1242; [21 U.S.C. 801](#)) and/or the Controlled Substances Import and Export Act (84 Stat. 1285; [21 U.S.C. 951](#)).

(b) The term *Administrator* means the Administrator of the Administration. The Administrator has been delegated authority under the Act by the Attorney General (28 CFR 0.100).

(c) The term *hearing* means any hearing held pursuant to the Act.

(d) The term *Hearing Clerk* means the hearing clerk of the Administration.

(e) The term *person* includes an individual, corporation, government or governmental subdivision or agency, business trust, partnership, association or other legal entity.

(f) The term *presiding officer* means an administrative law judge qualified and appointed as provided in the Administrative Procedure Act (5 U.S.C. 556).

(g) The term *proceeding* means all actions involving a hearing, commencing with the publication by the Administrator of the notice of proposed rulemaking or the issuance of an order to show cause.

(h) Any term not defined in this part shall have the definition set forth in section 102 of the Act ([21 U.S.C. 802](#)) or [part 1300](#) of this chapter.

[36 FR 7820, Apr. 24, 1971, as amended at 38 FR 757, Jan. 4, 1973. Redesignated at 38 FR 26609, Sept. 24, 1973, as amended at 62 FR 13969, Mar. 24, 1997; 77 FR 4238, Jan. 27, 2012]