

Drug Enforcement Administration  
Diversion Control Division  
Civil Unrest Emergency Guidance Document

Title: Civil Unrest Q&A Suspicious Order Reporting

**Question:** Could the DEA provide distributors with guidance on reporting of suspicious orders for pharmacies that need to replenish stocks of controlled substances lost or damaged due to looting/rioting or pharmacies that may need to acquire additional stocks due to closure of neighboring pharmacies?

**Answer:** The Controlled Substances Act requires that *all* DEA registrants that distribute controlled substances report suspicious orders to DEA. 21 U.S.C. § 832(a)(3). The term suspicious order “may include, but is not limited to-- (A) an order of a controlled substance of unusual size; (B) an order of a controlled substance deviating substantially from a normal pattern; and (C) orders of controlled substances of unusual frequency.” 21 U.S.C. § 802(57) and 21 CFR § 1301.74(b).

DEA recognizes that a pharmacy may need to replace a substantial portion, or all, of its controlled substance stock due to losses caused by looting or rioting. DEA also recognizes that a pharmacy may need to order additional stocks of controlled substances that exceed its normal ordering patterns due to increased legitimate customer demand arising from the closure of neighboring pharmacies.

Upon receiving orders falling within the definition of “suspicious order,” registrants must conduct appropriate due diligence by considering all relevant circumstances to determine if there is a legitimate basis for the order. 21 CFR 1301.74(c). If the registrant cannot determine that the order is legitimate, the order must be reported as suspicious. 21 CFR 1301.74(b).

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