

NOTICE



RED PHOSPHORUS, WHITE PHOSPHORUS, AND HYPOPHOSPHOROUS ACID ARE USED TO MANUFACTURE METHAMPHETAMINE

The Drug Enforcement Administration (DEA) is issuing this notice to inform businesses (i.e. regulated persons) handling red phosphorus, white phosphorus, and hypophosphorous acid, including non-exempt products containing these chemicals, that they are sometimes used in the illicit manufacture of methamphetamine.

Facts about handling red or white phosphorus and hypophosphorous acid:

1. Red and white phosphorus and hypophosphorous acid are List I chemicals under federal law. Such distribution, receipt, sale, importation, or exportation of listed chemicals can qualify as a regulated transaction per the Controlled Substances Act (CSA) and its corresponding federal regulations. 21 U.S.C. 802(39); 21 CFR 1300.02.
2. Handlers need to know the identity of their customers, including requiring the buyer to present proof of identity, so as not to become an unwitting supplier to a clandestine methamphetamine laboratory. 21 U.S.C. § 830(a)(3)
3. Handlers must orally report all suspicious activity to their local DEA office at the earliest practicable opportunity the handler is aware of the circumstances involving suspicious activity, and follow up with a written report within 15 days. Suspicious activity includes transactions involving an extraordinary quantity of these chemicals, uncommon method of payment or delivery, or any other circumstance that handlers believe may indicate these chemicals will be used in violation of the Controlled Substances Act (CSA). 21 U.S.C. 830(b)(1) and 21 CFR 1310.05(a)(1)
4. It is unlawful for any person knowingly or intentionally to possess or distribute the above chemicals, knowing, intending, or having reasonable cause to believe, that red phosphorus, white phosphorus, or hypophosphorous acid will be used in the manufacture of a controlled substance, like methamphetamine, in violation of the CSA. 21 U.S.C. 843(a)(6), (7). Failure to comply may result in criminal, civil, or administrative proceedings.
5. Records, reports and proof of identity for customers are required for all regulated transactions, including all receipts or distributions.

The Drug Enforcement Administration thanks you for your cooperation in this matter.

For more information, please visit: DEAdiversion.usdoj.gov

To report suspicious chemical related activity, please visit: apps.deadiversion.usdoj.gov/CORT

For additional questions: DOC@dea.gov