Pre-Export Notifications

By
Aziz Elkholy
Staff Coordinator
Smita Patel
Program Analyst
Synthetic Drugs & Chemicals Section
International Chemical Control

International Narcotics Control Board (INCB)

• United Nations
• Independent monitoring body for the implementation of the international drug control conventions.
• Established in 1968 in accordance with the Single Convention on Narcotic Drugs, 1961.

1988 U.N. Convention Against Illicit Traffic and Narcotic Drugs and Psychotropic Substances
Pre-Export Notifications

- **PEN Online system launched in March 2006 by INCB**
  - On average, more than 2,600 pre-export notifications are communicated through PEN Online System each month.
  - DEA has sent approximately 49,400 PEN notifications to date.

- **Information shared through PEN Online enables monitoring of licit global trade at the country and company levels**
  - Allows importing country to verify legitimacy of shipment and suspend or stop it in timely manner

- **Enables Governments to rapidly identify suspicious transactions of substances in Table I and II of 1988 UN Treaty, thus prevent potential diversion**
Global Chemical Control: *Substances in Tables I and II of the 1988 Convention*

**Table I**  | **Table II**
---|---
Acetic anhydride | Acetone
N-Acetylanthranilic acid | Anthranilic acid
Ephedrine | Ethyl ether
Ergometrine | Hydrochloric acid<sup>a</sup>
Ergotamine | Methyl ethyl ketone
Isosafrole | Piperidine
Lysergic acid | Sulphuric acid<sup>b</sup>
3,4-Methylenedioxyphenyl-2-propanone | Toluene
Norephedrine | 
Phenylacetic acid<sup>b</sup> | 
1-Phenyl-2-propanone | 
Piperonal | 
Potassium permanganate | 
Pseudoephedrine | 
Safrole | 

<sup>a</sup> May cause more frequent seizures than other substances.

<sup>b</sup> No indication for classification in the 1988 Convention.
USA Listed Chemicals Regulated Under the Controlled Substances Act

<table>
<thead>
<tr>
<th>Listed Chemicals Regulated Under the Controlled Substances Act</th>
<th>Controlled Substance Produced</th>
</tr>
</thead>
<tbody>
<tr>
<td>See 21 C.F.R. §§ 1309, 1310, 1311 and 1314 for details</td>
<td></td>
</tr>
<tr>
<td>August 14, 2011</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Code</th>
<th>Schedule</th>
<th>Substance Type</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acrylamide</td>
<td></td>
<td>1</td>
<td>Ethylene Amide</td>
<td>1</td>
</tr>
<tr>
<td>Acrylonitrile</td>
<td></td>
<td>1</td>
<td>Acrylonitrile</td>
<td>1</td>
</tr>
<tr>
<td>Acrylate</td>
<td></td>
<td>1</td>
<td>Acrylate</td>
<td>1</td>
</tr>
<tr>
<td>Acrylamide</td>
<td></td>
<td>1</td>
<td>Acrylamide</td>
<td>1</td>
</tr>
<tr>
<td>Acrylonitrile</td>
<td></td>
<td>1</td>
<td>Acrylonitrile</td>
<td>1</td>
</tr>
<tr>
<td>Acrylate</td>
<td></td>
<td>1</td>
<td>Acrylate</td>
<td>1</td>
</tr>
<tr>
<td>Acrylamide</td>
<td></td>
<td>1</td>
<td>Acrylamide</td>
<td>1</td>
</tr>
<tr>
<td>Acrylonitrile</td>
<td></td>
<td>1</td>
<td>Acrylonitrile</td>
<td>1</td>
</tr>
<tr>
<td>Acrylate</td>
<td></td>
<td>1</td>
<td>Acrylate</td>
<td>1</td>
</tr>
<tr>
<td>Acrylamide</td>
<td></td>
<td>1</td>
<td>Acrylamide</td>
<td>1</td>
</tr>
</tbody>
</table>

(continues with detailed list of chemicals and corresponding controls)
Track shipments around the globe

Strengthen communication and cooperation with foreign governments on chemicals of interest

Provides information on trends of chemicals for analysis to support establishing adequate chemical controls
## U.S. Department of Justice
### Import / Export Declaration
for List I and List II Chemicals

#### Drug Enforcement Administration

**SEE REVERSE INSTRUCTIONS FOR PRIVACY ACT**
1a. Type of Transaction [ ] IMPORT [ ] EXPORT [ ] INTERNATIONAL
1b. Type of Submission [ ] ORIGINAL [ ] AMENDED [ ] WITHDRAWAL

1c. **WARNING!** 15-day advance notice required for initial shipment or for company that has lost regular importer or regular customer status. See 21 C.F.R. Part 1313 for further details.

☐ I certify I have met the conditions for the waiver of 15-day advance notice requirement.

(Name, address, telephone, and fax no.)

2b. IF IMPORT, LIST FOREIGN CONSIGNOR; IF EXPORT OR INTERNATIONAL TRANSACTION, LIST FOREIGN TRANSFEREE.
(Name, address, telephone, and fax no.)

---

DEA Registration Number (for List I only) __________
Foreign permit no. (if applicable) __________

---

### 3. Listed Chemicals to be Imported / Exported / Brokered

3a. Name and Description of chemical appearing on label or container. For drug products, show dosage strength and dosage size.

3b. Name of chemicals as designated by Title 21 C.F.R. 1310.02

3c. Number of containers, size, net weight of each chemical (kg). For drug products, show number of dosage units. Show net total weight per chemical.

3d. DATE OF ACTUAL IMPORT/EXPORT AND ACTUAL QUANTITY (To be completed by person named in 2a). If same as 3c. write "same as 3c."

---

4a. ☐ FOREIGN ☐ DOMESTIC
PORT OF EXPORTATION

4b. ☐ FOREIGN ☐ DOMESTIC
PORT OF IMPORTATION

APPROX. DEPARTURE DATE: __________
APPROX. ARRIVAL DATE: __________

---

5. MODE OF TRANSPORTATION, NAME OF VESSEL, OR NAME OF CARRIER:

---

SIGNATURE OF AUTHORIZED INDIVIDUAL (Print or Type Name below Signature) __________

DATE: __________

---

Print Name: __________

DEA form - 486 (Previous version obsolete.)
11/30/2018

Copy 1
PENs Issues

Objections by Foreign National Competent Authorities

1. Administrative errors (i.e. address, quantity, esters)
2. Import permits
3. Technical (system issues)
Letters of No-Objections
(LONOS)

By
Aziz Elkholy
Staff Coordinator
Smita Patel
Program Analyst
Synthetic Drugs & Chemicals Section
Letters of No Objection (LONO)

1988 UN Convention treaty provisions, some nations implemented permit system for import/export of listed controlled chemicals

- U.S. does not have a permit system

1994 INCB initiative resulted in the LONO

- US meets its treaty obligations under Article 12 of 1988 Convention and via DEA CSA, 21 U.S.C. 872 (f) and 21 U.S.C 971
- Informal bilateral agreements negotiated between U.S and China, Hong Kong, India and the Czech Republic
- LONO another form of verification issued by U.S. to allow particular imports into the United States
Imports of listed chemicals require DEA 486 declaration

- U.S companies submit DEA 486 to Import/Export Unit (via online or fax) - process the DEA 486
- Synthetic Drugs and Chemical Section verifies the import and issues Letter of No Objection
- Discontinued issuance of LONO to India

Letter of No Objection issued to the Competent National Authority of exporting country
# DEA Form 486

## U.S. Department of Justice

### Import / Export Declaration for List I and List II Chemicals

**SEE REVERSE INSTRUCTIONS FOR PRIVACY ACT**

1a. **Type of Transaction**: IMPORT | EXPORT | INTERNATIONAL

1b. **Type of Submission**: ORIGINAL | AMENDED | WITHDRAWAL

1c. **WARNING**: 15-day advance notice required for initial shipment or for company that has lost regular importer or regular customer status. See 21 C.F.R. Part 1313 for further details.

☐ I certify I have met the conditions for the waiver of 15-day advance notice requirement.

DEA Transaction Number

2a. **U.S. IMPORTER/U.S. EXPORTER/U.S. BROKER**

   (Name, address, telephone, and fax no.)

2b. **IF IMPORT, LIST FOREIGN CONSIGNOR, IF EXPORT OR INTERNATIONAL TRANSACTION, LIST FOREIGN TRANSFEREE**

   (Name, address, telephone, and fax no.)

DEA Registration Number (for List I only):

Purchase/Invoice no.

Foreign permit no. (if applicable)

### 3. Listed Chemicals to be Imported / Exported / Brokered

3a. **Name and Description of chemical appearing on label or container**.

   For drug products, show dosage strength and dosage size.

3b. **Name of chemicals as designated by Title 21 C.F.R. 1310.02**

3c. **Number of containers, size, net weight of each chemical (kg)**.

   For drug products: show number of dosage units. Show net total weight per chemical.

3d. **DATE OF ACTUAL IMPORT/EXPORT AND ACTUAL QUANTITY** (To be completed by person named in 2a). If same as 3c, write "same as 3c."

### 4. **PORT OF EXPORTATION**

   ☐ FOREIGN | ☐ DOMESTIC

   APPROX. DEPARTURE DATE:

### 5. **MODE OF TRANSPORTATION, NAME OF VESSEL, OR NAME OF CARRIER**

   SIGNATURE OF AUTHORIZED INDIVIDUAL (Print or Type Name below Signature):

   DATE:

Print Name:

DEA form - 486 (Previous version obsolete.)

11/30/2019.
Ministry of Public Security
14 Dong Chang An Street
Beijing, China 100741

Dear Mr. Wang:

The U.S. Drug Enforcement Administration (DEA) has received a request for a letter of no objection for the following shipment:

U.S. Importer: Company name
Street address
City, State, Zip

Exporter: Company name
Address
City, Zip, China

DEA Transaction No.: XXXXXX
Chemical: Name
Quantity: XXXX kilograms
Importer Ref. No.: PO #XXXX

Please be advised the DEA currently has no objection to this proposed shipment. This non-objection only applies to the shipment identified above and a copy of this letter will be sent to the U.S. importer.

Any questions regarding this letter may be directed to this office at (202) 307-4780.

Sincerely,

John R. Scherbenske, Section Chief
Synthetic Drugs and Chemicals Section
Thank You
Questions?

Aziz Elkholy
Staff Coordinator
Aziz.Elkholy@USdoj.gov

Smita Patel
Program Analyst
Smita.Patel2@USdoj.gov

Synthetic Drugs & Chemicals Section