Methamphetamine and the CMEA

Pharmacy Diversion Awareness Conference
Birmingham, Alabama – March 28-29, 2015

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Liaison and Policy Section
U.S. Drug Enforcement Administration
CMEA

• Combat Methamphetamine Epidemic Act
U.S. Methamphetamine Production

• Prior to CMEA, U.S. encounters of methamphetamine labs had increased dramatically over past two decades

• Small Production Capacity Labs (SPCLs) emerge; also known as “One Pot Method” and “Shake & Bake Labs” (gram to multi-gram methamphetamine yields)

• 2004 - record number of labs encountered/seized in the U.S.
  – (2004 - 15,820 labs reported)
2005 - US Addresses
Methamphetamine Production

• Congress passes Combat Methamphetamine Epidemic Act of 2005 (effective March 2006)
  – The CMEA restricts the sales of pseudoephedrine and ephedrine in the U.S.
CMEA - Point-of-Sale Requirements

• Daily sales limit 3.6 grams per day per customer
  – 146 x 30-mg tablets of Pseudo HCl
  – 73 x 60-mg tablets of Pseudo HCl
• Buyers cannot purchase more than 9 grams of PSE over 30 day period
• Sold in “blister” pack only – cannot be sold in bottles
Criminals Adapt to CMEA
What is a Smurf?

- A smurf is someone who buys small quantities of ingredients (e.g., PSE, ice packs, lithium, matches, iodine), from several different locations, in order to manufacture, or more likely, assist in the manufacture of methamphetamine.
- Multiple IDs used to buy PSE and EPH
Methamphetamine Facts

• Schedule II controlled substance

• Methamphetamine is the most widely abused, domestically produced synthetic drug in the United States.

• Has a high rate of addiction, a low rate of sustained recovery, and is relatively inexpensive to manufacture.
Meth’s Effects
Meth is highly Addictive

• When compared to Alcohol and Cocaine:

- A group of 100 people given a drink of alcohol every day for 3 weeks, **8 of the 100** will become addicted.

- A group of 100 people given meth or cocaine orally or as snuff every day for 3 weeks, **14 of the 100** will become addicted.

- A group of 100 people given meth by smoking or injection just 2 times, **90 of the 100** will become addicted.

- If a recovering meth addict, who has been clean for 11 months, has a hit of meth in placed in front of them, the desire to use it will cause the addict to use it, **100%** of the time.

Dr. S. Alex Stalcup MD, New Leaf Treatment Center
Meth Abuse side effects . . .
“Meth Mouth”
The U.S. methamphetamine threat is a two prong problem:

- Methamphetamine manufactured by Mexican Trafficking Organizations (large “Super Labs” in Mexico & liquid conversion labs the U.S.)

- Small Capacity Production Labs (SCPLs) (based in the U.S.)
Methamphetamine from foreign trafficking organizations
Domestic Methamphetamine
Domestic Meth

- The “New” Methamphetamine
  - 3 to 4 times easier to make and 3 to 4 times more potent than the old drug
  - Common chemicals purchased over the counter
  - 1 to 4 hours to cook a batch (old method took 20 hours)
  - Accounts for 98% of all reported clandestine labs.
What’s the big deal with Pseudoephedrine? The answer is basically **One Oxygen Molecule**. The molecular similarity of pseudo to meth is so close that using today’s common methamphetamine manufacturing methods (“Shake & Bake” Red-Phosphorus or Anhydrous / Nazi method) simply reduce the molecular structure of pseudoephedrine/ ephedrine by one Oxygen molecule to create Methamphetamine.
One-Pot labs are EXTREMELY Dangerous

- One-Pot labs extremely dangerous
- Clan lab stats increase in many states
- Reactive to water/moisture
- Meth labs catching fire at a higher rate
- 50% Failure (if it hasn’t – it will catch fire
“One Pot” Damage
What do “One Pot” Lab sites look like?
SPCL “One Pot” - waste

• Generate toxic waste
  – 1 lb of Meth Produced
  – Yields 5-6 Pounds of Toxic Waste
WHERE CAN YOU GET METH MANUFACTURING MATERIALS?
We speak HIV
Specially trained pharmacists and staff at over 600 locations can talk with you about:
- Medication therapy
- HIV testing organizations
- At-home HIV testing options
- Financial resources

Visit HIV.Walgreens.com or call 800-573-3602 to find HIV-specialized pharmacists and locations across the country.

Walgreens is a proud partner of Greater Than AIDS.

*Only available on in-store purchases. Card and Sunday paper coupon required for pricing.
Where can you find Meth Labs?

U.S. Drug Enforcement Administration / Operations Division / Office of Diversion Control
Houses

Barns

We have encountered labs in . . .

Storage Units

"Vacant" Buildings
We have encountered labs in ...
Methamphetamine Laboratories are Endangering our Communities - Florida & Alabama

“Meth lab explodes inside South Jacksonville apartment”

“Janitor finds meth lab in Walmart bathroom”

August 17, 2011 The Florida Times Union

WHNT April 11, 2012 Boaz, Alabama
Methamphetamine Laboratories are Endangering our Communities
Washington, D.C & Nation

“Meth Lab Explosion Rocks Luxury Apartment in Dupont Circle Apartment”

February 2, 2012
Inthecapital.com

“AP Exclusive: National Meth Labs Busts up in 2011”

February 22, 2012
Associated Press
Methamphetamine Laboratories are Being Found Near & At Schools in Georgia

“Police bust meth lab next to elementary school”

“Meth lab found in truck at South Effingham Middle School”

“Lawrence Lanier, 34, had two small children in his truck within arm’s reach of a meth lab when he was arrested at South Effingham Middle School, Effingham County Sheriff’s Office spokesman David Ehsanipoor said.”

WTOC.com March 29, 2012
Kingsland, Georgia

Savannahnow.com April 10, 2012
Methamphetamine Laboratories are Harming Our Environment Tennessee & Kentucky

“Man Dumped Meth Waste Into Trout Stream.”

“My concern is this is a trout stream, there are kids that fish this area," said Sheriff Hensley”

April 25, 2012 WCYB.com

“Dumping meth labs – Materials pose threat to environment, including water supply, fish and wildlife”

“The bad news is for the public Loving said, because the chemicals left behind are now in the river where people fish and swim.”

BG DailyNews.com August 19, 2011
Meth labs are Dangerous
Back to the CMEA . . .
CMEA (Combat Methamphetamine Epidemic Act of 2005)

Title VII of Public Law 109-177
The Combat Methamphetamine Epidemic Act of 2005
Sales of Scheduled Listed Chemical Products
Required Training and Self-Certification
Law Enforcement Queries Regarding Self-Certification
Import and Production Quotas for the List I Chemicals Ephedrine, Pseudoephedrine, and Phenylpropanolamine
Importation, Exportation, and International Transactions Involving all Listed Chemicals

The Combat Methamphetamine Epidemic Act of 2005
USA Patriot Improvement and Reauthorization Act 2005 (Public Law 109-177) (PDF)
General Information Regarding the Combat Methamphetamine Epidemic Act of 2005 or PDF Version

Sales of Scheduled Listed Chemical Products
Implementation of the Methamphetamine Production Prevention Act of 2008 (December 1, 2011)
Interim Final Rule - Self-Certification and Employee Training of Mail-Order Distributors of Scheduled Listed Chemical Products (April 26, 2011)
How do I store these drug products?

• You must store drug products containing ephedrine, pseudoephedrine, and phenylpropanolamine either behind the counter or in a locked cabinet.

• You must give the drug product directly to the customer who signed the logbook or who provides identification.
Identification and Verification

- Your customer must show you a photo identification issued by a State or the federal government.

- You cannot sell Scheduled Listed Chemical Products containing ephedrine, pseudoephedrine, or phenylpropanolamine to customers unless they present appropriate identification.

- You must verify that your customer’s name on the photo identification matches the name your customer wrote in the logbook.

- You must verify that the date and time of the sale that your customer wrote in the logbook are correct.
Self-Certification Requirement

CMEA Required Training & Self-Certification
For questions contact Help Desk - 1-800-882-9539

Self-Certification (Training Required Prior to Self-Certification)

$21 self-certification fee established for regulated sellers of scheduled listed chemical products (SLCPs) that are not DEA pharmacy registrants

Training Required to Sell Drug Products Containing Ephedrine, Pseudoephedrine, and Phenylpropanolamine

Retail Vendors (Only one certificate per Retail Store is required)
Mobile Retail Vendor (Self-certification required for each location)
Mail-Order Vendors
Tracking vs. Scheduling
2012 New Anti-Meth Laws - Alabama

• PSE/ephedrine product can only be sold at pharmacies

• Product required to be behind the counter.

• Stronger ID requirements—unsuspended, valid and current. ID must be presented or pharmacy is blocked for the sale.
2012 New Anti-Meth Laws

• Smurfing is a felony

• State which require a prescription for Pse/ephedrine (Mississippi, Oregon) the customer is required to show their prescription that their state requires.

• Forgery statutes apply to PSE/ephedrine required prescriptions

U.S. Drug Enforcement Administration / Operations Division / Office of Diversion Control
2012 New Anti-Meth Laws

• Restitution for law enforcement and prosecution for cost of the investigation and prosecution.

• Restitution for landowner (innocent) for cost of clean-up after discovery of meth lab.
The total number of individual boxes of PSE/ephedrine product sold in Alabama during the reporting period is reflected below. Alabama experienced an increase of 8,942 boxes of PSE/ephedrine blocked at the point-of-sale from the reporting period of 2012 to 2013.

<table>
<thead>
<tr>
<th>Quarter</th>
<th>Total Boxes Sold</th>
<th>Total Boxes Blocked</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st QTR (Jan/Feb/Mar) 2012</td>
<td>441523</td>
<td>19566</td>
</tr>
<tr>
<td>1st QTR (Jan/Feb/Mar) 2013</td>
<td>407866</td>
<td>28508</td>
</tr>
</tbody>
</table>

Source: ACJIC / NPLEx
Schedule III Prescription Only

- PSE and EPH can only be obtained pursuant to prescription from a physician or practitioner
- Cannot freely purchase from retail outlets - ends unrestricted availability and smurfing
- If a CS, PDMP may be utilized for tracking purposes (if authorized by state law or regulation)
- In place in Oregon – 96% lab seizure reduction
- In place in Mississippi – 67% reduction
- Decrease in labs leads to a decrease in resources expended – LE and local/city/state funds (OT, lab cleanups, environmental issues, children/defs/citizens/cops health care, foster care etc)
- LE can restructure resources to handle other LE issues instead of providing cleanup service and chasing smurfers
- Prevents labs – is not a reactive tool, but a preventative measure
DISCLOSURE –

• NEITHER Tracking or Prescription only will have ANY impact on Methamphetamine Availability in the United States!

• But, Prescription only PSE will impact the number of domestic meth labs
(Associated Press) “Analysis Finds Meth Flourishes Despite Tracking Laws”

“Electronic systems that track sales of the cold medicine used to make methamphetamine have failed to curb the drug trade and instead created a vast, highly lucrative market for profiteers to buy over-the-counter pills and sell them to meth producers at a huge markup.”

“The pharmaceutical industry has spent several million dollars to fund the tracking systems. For drug makers, that is far cheaper than one alternative -- making the medication available only by prescription. If more states do the same, it could be devastating for makers of cold and sinus pills. The pseudoephedrine market is estimated at more than $550 million annually. “

Mississippi: 6-Month-Old Law to Combat Meth Production Lauded   Jan. 4, 2011

After just six month, a new law requiring a prescription for cold and sinus medicines containing pseudoephedrine has proved to be an effective deterrent to methamphetamine production in Mississippi.

“Early results show a nearly 70 percent reduction in meth-related cases statewide. Now when we find pseudoephedrine at meth labs, it was purchased in surrounding states,” explained Director Fisher.

Figures from the MBN indicate officers worked 124 meth labs from July to December 2010, a 68 percent reduction from the 389 meth labs they worked from July to December 2009.

Officials removed 19 children from meth lab sites July to December 2010, a 76 percent reduction from the 80 children removed from meth labs sites July to December 2009.

“Other states are looking to follow Mississippi’s lead and pass the same law. This works; I hope they do,” Director Fisher said.
Meth Labs and Child Welfare
35% of children removed from lab scenes test positive for meth
Methamphetamine Laboratories are Harming Our Children
Oklahoma

“OKLAHOMA CITY - A judge was told Friday that Del City fire investigators found evidence that methamphetamine was made inside the burned motorhome where three young children died Jan. 4.” July 23, 2011 newsOK.com
Methamphetamine Laboratories are Endangering our Children
Indiana & Florida

“Police believe a Muncie couple put the lives of hundreds of children – including three of their own – in danger by maintaining a meth lab in their southeast Muncie home near a school and a day care center.”

Muncie Star Press December 32, 2011

“Police seek person who made meth at SW IND school”

Wish TV 8 December 13, 2011

“4 children escape meth lab fire”

FoxTV.com Florida
October 27, 2011
Methamphetamine Laboratories are Endangering Our Children
Indiana & Georgia

“Two arrested and children taken into protective custody in Elkhart meth bust.”

“Report: Chattooga Co. woman hides meth lab under children's play house”

July 22, 2011 WSBT-TV

The Summerville News April 16, 2012
Methamphetamine Laboratories are Endangering our Children & Families West Virginia & Michigan

“The number of meth labs is on the rise in West Virginia, and more than half are happening in homes with children.”

“Meth lab explosion forces five families out of their apartments”

WSZ3 November 22, 2011

Hillsdale.net April 6, 2012
Cambria, Michigan
Methamphetamine Laboratories are Harming Our Children
Ohio

“Death of Akron toddler called suspicious; police say meth lab found in home.”

“Ohio toddler died from ingesting meth”

Akron Beacon Journal Online
February 27, 2012 & March 27, 2012
Methamphetamine Laboratories are Harming Our Children
Georgia

“3 Children Killed, Evidence Of Meth Found In Fire”

“GWINNETT COUNTY, Ga. -- Gwinnett County police charged a man with murder after firefighters said they found chemicals related to methamphetamine production in a house fire that killed three children.”

Gadailynews.com February 18, 2011
Methamphetamine Laboratories are Harming Our Children
Tennessee

“Burned toddler found in Chattanooga meth lab”

“A Chattanooga woman has been arrested after police say her 2-year-old was severely burned at the family's residence -- where they also found a collection of meth labs.”

Chattanooga Times Free Press February 13, 2012
Methamphetamine Laboratories are Harming Our Children
North Carolina

“Sheriff Hubert Peterkin said Thursday his deputies raided a suspected meth operation near the Hoke/Cumberland County line where a 6-month-old child was burned.”
February 4, 2011
WTVD Raleigh, N.C.

“In Morgantown, a meth lab was discovered at a day-care center.”
April 3, 2011
www.charlotteobserver.com
DEA Web-based Resources
Office of Diversion Control
www.deadiversion.usdoj.gov
DEA Statement Regarding the Release of Rafael Caro-Quintero

AUGUST 9 (WASHINGTON)

Today, the Drug Enforcement Administration was deeply troubled to learn of the decision by a Mexican court to release infamous drug trafficker Rafael Caro-Quintero from a Mexican prison. Caro-Quintero had
DEA Web-based Resources

www.GetSmartAboutDrugs.com
DEA Web-based Resources

www.JustThinkTwice.com
Thank you