SYNTHETIC ABUSE AND LABELING OF TOXIC SUBSTANCES ACT OF 2013

FACT SHEET

The Synthetic Abuse and Labeling of Toxic Substances Act of 2013 will amend the Controlled Substance Act to create multiple factors that must be considered when determining whether a controlled substance analogue is intended for human consumption. Previously, synthetic drug manufacturers have been able to avoid prosecution by labeling their products as "not fit for human consumption", making it difficult for law enforcement to identify the substance as a synthetic drug. The considerations outlined in this Act will make it easier for law enforcement to prosecute the sale and distribution of these substances.

NEW CRITERIA FOR DEFINING CONTROLLED SUBSTANCE ANALOGUES:

- In determining whether a controlled substance analogue was intended for human consumption, the following factors must be considered:
    - The marketing, advertising, and labeling of the substance
    - The known efficacy or usefulness of the substance for the marketed, advertised or labeled purpose
    - The difference between the price at which the substance is sold and the price at which the substance it is purported to be or advertised is normally sold
    - The diversion of the substance from legitimate channels and the clandestine importation, manufacture, or distribution of the substance
    - Whether the defendant knew or should have known the substance was intended to be consumed by injection, inhalation, ingestion, or any other immediate means

TIM WOODS ▪ TWOODS@SHERIFFS.ORG ▪ DIRECTOR OF GOVERNMENT AFFAIRS
BREANNA BOCK-NIELSEN ▪ BNIELSEN@SHERIFFS.ORG ▪ LEGISLATIVE LIAISON
800.424.7827