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# Alaska State Legislature

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HOUSE MAJORITY WHIP

CHAIRMAN  
STATE AFFAIRS


MEMBER  
TRANSPORTATION  
LEGISLATIVE COUNCIL

IN SESSION:  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 485-4947

Representative Mitch Alwood  
HOUSE DISTRICT 11

## MEMORANDUM

TO: Senator Joe Josephson  
Chairman, Senate State Affairs Committee

FROM: Representative Mitch Alwood 

DATE: May 3, 1983

RE: HOUSE BILL NO. 10 -  
"An Act relating to imitation controlled substances"  
Synopsis

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House Bill 10 has been introduced to prohibit the sale and possession of imitation controlled substances, known as "look-alikes".

Look-alike drugs are carefully designed to resemble or duplicate the appearance of brand name controlled substances found in prescription sedatives, stimulants, tranquilizers and narcotic pain killers in both capsule and tablet form. A good majority of these look-alikes contain caffeine, and substances found in cough medicines and other non-prescription over-the-counter drugs. On the street, they are known by the same names as the real drugs, but they contain substances which, if taken in large quantities, produce a "similar high" to that of the prescription drug.

The manufacturers of these substances claim that the substances are not harmful and are safe and legal. Advertisements found in certain publications appeal to the young, and they have encouraged wide-spread acceptance and use of these substances. You might note that while the advertisements show a fairly inexpensive price range, that the street value of this type of product is exorbitant.

Although substances found in look-alike drugs, such as caffeine, are not harmful per se, when taken in large quantities could prove to be a health hazard. The look-alike drugs are often mistaken for controlled substances. One problem we face when we talk about the look-alike drugs involves the young consumer who thinks that he has been buying "speed", when it is only a look-alike drug and needs to take quite a few to get the "full effect". He then buys the real drug and takes it in the same large quantities he is accustomed to with the look-alike substances. The danger here is that he runs the risk of an overdose or even death in some cases. Another very serious problem that arises is that of the doctors who try to treat the overdose victim and the confusion in determining whether the patient has taken the prescription drug or the counterfeit. According to the Alaska State Troopers, look-alike drug sales have lead to violence in some instances when the purchaser finds out that he was sold a "bill of goods" and tries to retaliate. Look alikes are becoming an alarming problem with our youth.

As of August, 1982, 36 states have adopted legislation restricting the sale of look alike drugs and legislation is pending in 4 more states. Recently, Minnesota and New Jersey followed suit by prohibiting the sale of look-alike substances and Utah imposed penalties for possession of imitation controlled substances. The Drug Enforcement Agency had drafted a model look-alike drug law for states and CSSSHB 10 is right along the lines of the DEA Model Drug Act.

In summary, the use of look-alike drugs has become an alarming problem, especially with our youth. HB 10 addresses the issue of eliminating the source of the evil.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 21, 1983

SUBJECT: Imitation controlled substances  
(SSHB 10)

TO: Representative Mitchell E. Abood, Jr.

FROM: James H. Lear  
Legislative Counsel *JHL*

You have asked for a sectional analysis of SSHB 10 (An Act relating to imitation controlled substances). SSHB 10 is based on the Model Imitation Controlled Substances Act drafted by the Drug Enforcement Agency of the United States Department of Justice in October, 1981.

The bill consists of one section creating a new Chapter 73 in AS 11. The chapter contains several new sections:

Sec. 11.73.010. Prohibits the manufacture or distribution of imitation controlled substances as defined in Sec. 11.73.099(3) or possession of the same with intent to distribute. Violation of the section is punishable as a class C felony (maximum of five years in prison and maximum fine of \$50,000).

It is not a crime in certain instances if the substance is to be used as a placebo for medical treatment. This section is intended to curb the distribution of noncontrolled substances currently sold over-the-counter if manufactured or distributed as imitation controlled substances. See also sec. 11.73.050.

Sec. 11.73.020. Prohibits the possession of certain noncontrolled substances with the intent to manufacture an imitation controlled substance. The substances are those most frequently used to manufacture imitation controlled substances. Violation of this section is punishable as a class C felony. This section is not part of the "Model Act".

⊛ "or their salts"

February 21, 1983

Sec. 11.73.030. This section imposes a stricter punishment for distribution of imitation controlled substances by an adult to a minor. The crime is a class B felony punishable by a maximum of ten years in prison and a maximum fine of \$50,000.

Sec. 11.73.040. Prohibits advertisement to promote the distribution of an imitation controlled substance. This crime is punishable as a class C felony. The section is directed mainly at those persons who promote the distribution of an imitation controlled substance by soliciting advertising space in newspapers, magazines, et cetera, or by publicly distributing advertisements for an imitation controlled substance. A publisher and a distributor of not only a local but of a national publication could be prosecuted for violation of sec. 11.73.040 if the state can establish beyond a reasonable doubt that the person had the requisite mental state. The defendant must have known that the purpose of the advertisement or solicitation was to promote the distribution of an imitation controlled substance in the State of Alaska. It is obvious that it would be easier for the state to prosecute an individual who resides within the state, but Alaska has criminal jurisdiction over a nonresident publisher of a national magazine or newspaper who knowingly publishes an advertisement to promote the distribution of an imitation controlled substance if that person consummates the crime from outside the state by the intervention of an innocent or guilty agent, such as a newsstand operator, within the state (AS 12.05.010 -- crime commenced outside the state but consummated inside).

Sec. 11.73.050. This section specifies that manufacturing, distributing, or possessing an imitation controlled substance solely for use as a placebo under prescription is not a crime. See also sec. 11.73.010.

Sec. 11.73.060. This section addresses the circumstances under which a violator of the chapter may have to forfeit to the state those items associated with the perpetration of offenses involving imitation controlled substances. The section is rather lengthy since it is intended to provide adequate guidelines for determining what property may be subject to forfeiture, how it is to be seized, what procedure is to be used for litigating the interests of possible owners, disposition of forfeited property, et cetera. If the degree of detail in this section were absent, an individual might successfully challenge the

PRELIMINARY STATEMENT OF FISCAL IMPACT :

No. 1

Bill No: CSSS HB 10 (Jud) Page 1 of 2 Date on Bill: 2-23-83  
 Title: An Act relating to imitation controlled substances -  
 Sponsor: Representative Ahood  
 Requestor: House Finance Committee

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating		34.6	38.8	41.1
		34.6	38.8	41.1

b. Revenues:

Revenue				
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2. Source of funds to offset fiscal impact of bill:

No information provided.

3. Assumptions: It is estimated that enactment of this bill will result in 50 to 60 new criminal prosecutions throughout the state each year. This estimate is based upon a survey taken by the department of local police agencies and the state troopers. These new prosecutions and the handling of forfeiture actions allowed under the bill represent additional workload which will require the allocation of additional prosecutor resources.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the OMB estimate of fiscal impact.

Prepared by: Daniel W. Hickey, Chief Prosecutor Phone: 465-3428  
 Division: Department of Law, Criminal Division Date: 3-9-83  
 Approved by Commissioner: Noelman G. Crosskey, Attorney General Date: 3-9-83  
 Department: Law

5. Distribution:

Original to Legislative Finance  
 Copy to OMB  
 Copy to Sponsor  
 Copy to Requestor

2/15/83

No. 1

Page 2 of 2

CSSS HB 10(Jud)

Fiscal Analysis

The impact of CSSS HB 10 is expected to result in the addition of prosecutor time equivalent to one-half of an Attorney III (SR22), statewide. For purposes of the analysis, salary schedule A has been used. Actual placement of a position cannot be determined until after the Legislature has acted and we know what bills have been approved.

The first year of the analysis will be for FY 84 and costs have been calculated on a 10 month basis to account for the time required to establish a new position and the time it takes to get a new program underway. The costs beyond FY 84 are on a 12 month basis and include a 6% annual inflation factor.

1st Year (10 months)

	ALLI (PPT)	TOTAL
Personal Services	23.8	23.8
Travel	2.5	2.5
Contractual	4.0	4.0
Commodities - ongoing	.8	.8
Commodities - single time	2.0	2.0
Equipment - single time	1.5	1.5
		34.6

2nd Year (12 months + 6% annual inflation)

Personal Services	30.9	30.9
Travel	3.2	3.2
Contractual	4.6	4.6
Commodities	1.0	1.0
		38.8

PRELIMINARY STATEMENT OF FISCAL IMPACT

Page 1 of 2

Bill No: CS for SS for H.B. No. 10 No. 2 Date on Bill: February 23, 1983  
Title: "An Act relating to imitation controlled substances."  
Sponsor: Judiciary Committee  
Requestor: House Judiciary Committee

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
Capital		730.0	-0-	-0-		
Operating		13.9	122.4	129.8		
Total	-0-	743.9	122.4	129.8		

b. Revenues:

Revenue	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
	-0-	-0-	-0-	-0-		

2. Source of funds to offset fiscal impact of bill:

The source of funds to implement this bill has not been identified by the sponsors.

3. Assumptions:

- A. Estimated arrest and conviction information was gathered from the Department of Law and the Alaska Judicial Council statistics. They estimate that there would annually be five convictions resulting in prison terms for Class D and Class C felons. Class A misdemeanors have been omitted in the committee substitute.
- D. It is assumed that all convictions are of first time offenders.
- C. The following table displays data regarding additional bed needs with enactment of HB 10:

Prepared By: Roger C. Lange *Roger C. Lange* Phone: 465-3376  
 Division: Division of Adult Corrections Date: \_\_\_\_\_  
 Approved by Commissioner: *Robert L. Smith* Date: 5/11/83  
 Department: HEALTH & SOCIAL SERVICES

- 5. Distribution:  
 Original to Legislative Finance  
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 Copy to Requestor

FISCAL NOTE Page 2 of 2  
CS for SS for HB No. 10 (Judiciary)  
Page 2 of 2

Class of Offense	Expected # of Convictions	% to Jail	Avg. Sentence Length	Flat Years	Person Years
B Felony	1	50% .5	2.5 Yr.	1.9	.95
C Felony	23	202/4.6	1.09 Yr.	.02	2.77
	24	5.1			4.72

Therefore, 4.72 beds would be needed. For purposes of this fiscal note, it was rounded to the nearest whole number resulting in 5 new beds identified as being required.

D. Cost Estimates:

1. Capital Expenditures

It is assumed that medium security beds would be the appropriate classification. It is estimated that construction costs for this type of bed will be approximately \$146,000 per bed. Therefore, capital expenditures would be:

5 x \$146,000 = \$730,000

2. Personal Services *2. Staff - correction officer II 2 1/2 weeks = 1 staff dependent on construction.*

It is assumed that these 5 beds would be combined with other construction where staff will be identified. It is estimated two staff positions will be required to provide security and supervision for the additional inmates.

3. Other Costs - 13.9

Other costs identified reflect only food, clothing, bedding, and medical services necessary to meet the physical care and medical needs of the projected inmate increase.

4. Inflation of 6% per year was used for projecting cost after FY 1985, the year which the total bed impact would be experienced.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of fiscal impact.





STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: CS SS HB 10 (JUD) Date on Bill: 2-23-83  
 Title: "An Act Relating to imitation controlled substances"  
 Sponsor: Abood, etc.  
 Requestor: HOUSE JUDICIARY

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total	-0-	-0-	-0-	-0-

b. Revenues:

Revenue				
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2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

No Fiscal Impact

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Francis C. Allan Phone: 269-5691  
 Division: Alaska State Troopers Date: 3-2-83

Approved by Commissioner: *[Signature]* Date: 3/8/83  
 Department: Public Safety

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

I. REQUEST  
 Bill/Resolution No. HB 10  
 Title "An Act relating to imitation controlled substances."  
 Requested by Representative Abood Date 1/19/83

II. FISCAL DETAIL  
 Agency Affected Department of Law  
 Program Category Affected Administration of Justice  
 BRU, Program, Or Subprogram(s) Affected Prosecution  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

It is estimated that enactment of this bill will result in 50 to 60 new criminal prosecutions throughout the state each year. This estimate is based upon a survey taken by the department, of local police agencies and the state troopers. Examined singly, no additional prosecution personnel will be required to implement the provisions of the bill. These new prosecutions, however, do represent additional workload which, when added to other crime bills, will have the effect of hampering the department's overall ability to prosecute criminal offenses. The forfeiture provisions in the bill will also require additional attorney time to handle the court hearings required if a forfeiture of specific property is contested by the owner, and may have the effect of diverting resources from other matters currently being addressed.

IV. DATE 1/19/83 PREPARED BY Daniel R. Hickey, Chief Prosecutor  
 AGENCY Department of Law  
 PHONE 465-3428  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

Office of Management and Budget  
 Reviewed by: Mike Mayer, Program Budget Analyst  
 Division of Budget Review

COMMITTEE REPORTS (House)(cont'd)

HB 242. (cont'd)

education be submitted as part of the annual budget for the University of Alaska." (See SB 161, this report.)

Bering Sea  
Herring  
Fishery  
(stripping of  
fish)

HOUSE BILL NO. 267, (see page 323). Reported back to the House March 25 by the House Special Committee on Fisheries recommending it do pass. Concurring: Herrmann (Chairman), Grussendorf, Bussell, McBride, and Fuller. To Resources.

Cable T.V.  
(exempting  
from reg.  
by APUC)

HOUSE BILL NO. 274, (see page 325). Reported back to the House March 23 by Labor & Commerce recommending it do pass. Concurring: Furnace (Chairman), Uehling, Cowdery and Ringstad. Not concurring: Malone and Koponen signed "do pass if amended." To Rules.

Tax Exempt  
Home Mortgage  
Bonds  
(supporting  
legislation)

HOUSE JOINT RESOLUTION NO. 37, (see page 333). Reported back to the House March 25 by the House Special Committee on Loans recommending it do pass. Concurring: Uehling (Chairman), Furnace and Koponen. To Finance. Rep. Adams asked that the Finance referral be waived, and the bill was referred to the Rules Committee.

Appropriation  
(Special)  
(Hepatitis B  
inoculations)

CS SENATE BILL NO. 96 (FINANCE), (see pages 108;146;244;283;295). Reported back to the House March 23 by Health, Education and Social Services recommending it do pass. Concurring: Fritz (Co-Chairman), Tischer (Co-Chairman), Koponen, M.W. Miller, Davis and Cato. To Finance.

State Commis.  
on Personnel  
Act  
(extending)

SENATE CONCURRENT RESOLUTION NO. 3, (see pages 118;147;209;245;256;295). Reported back to the House March 21 by Finance recommending it do pass. Concurring: Bettisworth, Flood, Ward, Hurlbert, Zharoff, Duncan, Grussendorf, and Lindauer. Not concurring: Pestinger recommends do not pass. Adams (Chairman) and Martin had no recommendation. To Rules.

BILLS PASSED IN THE HOUSE

Imitation  
Controlled  
Substances

CS FOR SS FOR HOUSE BILL NO. 10 (JUDICIARY), (see pages 28;134;149;226;343;362). Before the House in 3rd reading March 21 (see page 343, previous action). The bill passed the House, 34-3-1-2. Nays: Clocksin, Koponen, Malone. Excused: Adams. Absent: Goll, Uehling. Rep. Vaska gave notice of reconsideration, but it was not taken up and the bill was sent to the Senate.

Commercial  
Fishing Loans

CS FOR HOUSE BILL NO. 15 (LOANS)(AM), (see pages 31;105;296;336;362). On March 21 the Loans substitute was adopted (see page 296).

Amendment 1 by Fuller was adopted, relating to the allocation of loans. The amendment changes language in AS 16.10.315 (Fisheries and Fishing Regulations, Commercial Fishing Loan Act, Allocation of Loans) to provide that the Department of Commerce and Economic Development shall allocate at least ten percent of the money that

HOUSE BILLS RECEIVED IN THE SENATE

- Imitation  
Controlled  
Substances      CS FOR SS FOR HOUSE BILL NO. 10 (JUDICIARY), (see pages 28; 134;149;226;343;391). Received in the Senate on March 24 and referred to Health, Education & Social Services and Judiciary.
- Commercial  
Fishing  
Loans      CS FOR HOUSE BILL NO. 15 (LOANS)(AMENDED), (see pages 31; 105;296;336;391). Received in the Senate on March 22 and referred to Labor & Commerce.
- Property Tax  
Exemptions  
(disabled vets)      CS FOR HOUSE BILL NO. 31 (C&RA)(AMENDED), (see pages 37;187; 260;302;345). Received in the Senate on March 21 and referred to Community & Regional Affairs and Finance.
- Elected Atty.  
General  
(const. am.)      CS FOR SS FOR HOUSE JOINT RESOLUTION NO. 7 (JUDICIARY), (see pages 62;159;259;347;393). Received in the Senate on March 24 and referred to State Affairs and Judiciary.

COMMITTEE REPORTS (Senata)

- Bd. of Marine  
Pilots  
(continuing  
existence)      CS FOR HOUSE BILL NO. 218 (FINANCE), (see pages 215;301; 310;347). Reported back to the Senate on March 25 by Labor & Commerce with the committee recommending it do pass. Concurring: Eliason (Chmn.), Rodey, Sackett and Mulcahy. To Rules.
- Board of  
Nursing  
(continuing  
existence)      HOUSE BILL NO. 224 (E.D. ADDED), (see pages 220;302;310). Reported back to the Senate on March 25 by Labor & Commerce with the committee recommending it do pass. Concurring: Eliason (Chmn.), Rodey, Sackett and Mulcahy. To Rules.
- Ferry System  
(free travel  
for senior  
citizens)      HOUSE CONCURRENT RESOLUTION NO. 2, (see pages 66;162;241; 262). Reported back to the Senate on March 25 by State Affairs with the committee recommending it be replaced with State Affairs Committee Substitute and that it do pass. Concurring: Vic Fischer (Chmn.), Rodey and Ray. To Finance.
- State Affairs SCS seeks to extend year-round free travel and reduced rates for staterooms on certain state ferries to handicapped persons as well as to senior citizens. Adds new paragraph to the preamble: "WHEREAS, since 1981, in response to Legislative Resolve No. 39, 1981, the state marine highway system has provided for travel of handicapped persons on ferries on a space-available basis within Alaska without charge from October 1 to May 15 inclusive."
- Petit Jurors  
(use of ear-  
phones by)      HOUSE CONCURRENT RESOLUTION NO. 11, (see pages 68;190;204; 229;311). Reported back to the Senate on March 25 by Rules with the committee recommending it be placed on the March 28 calendar. Concurring: Faiks (Chmn.), Ray and Ferguson.
- Appropriation  
(U of A/dorms)      SENATE BILL NO. 19, (see pages 6;205). Reported back to the Senate on March 25 by Finance with a majority of the committee recommending it be replaced with Finance CS and that it do pass. Concurring: Bennett (Co-Chmn.), Ferguson, Sackett and

BILLS PASSED IN THE HOUSE

Alaska Halibut  
Fishery  
(moratorium &  
share quota  
system)

CS FOR SENATE JOINT RESOLUTION NO. 7 (RES), (see pages 23; 177;210;256;295;319;348). Reported back to the House March 14 by Resources recommending it be replaced with a House Resources subst. and as follows: Ringstad (Co-Chairman), Shultz (Co-Chairman), Larson, Bussell, Goll, Liska, Cowdery and Uehling recommended do pass. To Rules.

The House Resources Substitute adds new language providing that much testimony has been given regarding the negative impact of the high incidental catch of halibut. Urges the Secretary of Commerce and the administrator of the National Oceanic and Atmospheric Administration to consider alternative halibut management techniques, such as shorter openings over a longer period of time, area registration, and harvest limits as a means of accommodating substantial regional differences and addressing the problem of short seasons. Also urges the Secretary and the administrator to seek methods of reducing the incidental catch of halibut.

Before the House on March 16. The House Resources CS was adopted and the resolution passed, 37-1-1-1. Nays: Malone. Excused: Zyanski. Absent: Wendte. Barnes gave notice of reconsideration of her vote and requested that it be taken up immediately. Passed again on reconsideration, 38-1-1-0.

Imitation  
Controlled  
Substances

CS FOR SS FOR HOUSE BILL NO. 10 (JUDICIARY), (see pages 23; 134;149;226). Reported back to the House March 14 by Finance recommending it do pass. Concurring: Adams (Chairman), Flood, Grussendorf, Ward, Hurlbert, Pestinger and Martin. Reps. Duncan, Zharoff and Bettisworth had no recommendation. To Rules.

Before the House on March 18. The Judiciary CS was adopted by unanimous consent. Four amendments failed:

Am. No. 1 by Duncan. Would have amended section which seeks to make it a felony to delivery an imitation controlled substance to a person under 19. Sought to delete provision that requires person delivering substance to be at least three years older than person under 19. Failed, 11-21.

Am. No. 2 by Clocksin. Would have amended new AS 11.73.010 to read: ". . . a person may not knowingly or intentionally manufacture, deliver, or possess with intent to deliver, an imitation controlled substance." Failed, 9-22.

Am. No. 3 by Clocksin. Would have deleted new AS 11.73.020, "Possession of Substance with Intent to Manufacture." Failed, 10-22.

Am. No. 4 by Clocksin. Would have added a new section:

BILLS PASSED IN THE HOUSE (cont'd)

CSSS HB 10(Jud) (cont'd)

Sec. 11.73.055. EXCEPTIONS.  
Nothing in this chapter shall apply to  
(A) a noncontrolled substance that was  
initially introduced into commerce  
prior to the initial introduction into  
commerce of the controlled substance  
which it is alleged to imitate, or  
(B) an imitation controlled substance  
for use in U. S. Food and Drug Adminis-  
tration investigational new drug trials."

Am. 4 failed, 10-22.

The bill failed to advance to third reading on March 18, lacking the necessary 30 votes. The vote was 21-11-7-1. Nays: Clocksin, Davis, Duncan, Koponen, Larson, Malone, McBride, M.M. Miller, Vaska, Wendte, Zharoff. Excused: Adams, Fritz, Liska, Phillips, Ringstad, Szymanski, Uehling. Absent: Goll. Will automatically appear in third reading on the March 21 calendar.

Drinking Age  
(raising)

CS FOR HOUSE BILL NO. 17 (JUDICIARY)(AMENDED), (see pages 32;161;298;310). Before the House on March 14. The Judiciary CS was adopted, 20-18-2. Nays: Adams, Bettisworth, Cato, Clocksin, Davis, Duncan, Fuller, Goll, Grussendorf, Herrmann, Hurlbert, Larson, Malone, Ringstad, Shultz, Vaska, Wendte, Zharoff. Excused: Koponen, McBride.

The House failed to rescind its action in adopting CS HB 17(Jud), 19-19. The following amendments were adopted, incorporating portions of the Finance CS:

Am. No. 1 by Duncan. Deletes Sec. 4 of the Judiciary CS and adds Secs. 3, 4, 5 and 6 of the Finance version. Adopted 22-16-2. Nays: Abood, Barnes, Bussell, Cowdery, Flood, Fritz, Furnace, Hayes, Lacher, Liska, Martin, M.W. Miller, Pestinger, Tischer, Uehling, Ward. Excused: Cato, Koponen. The amendment relates to access of those under 19 to licensed premises. Would allow a person under 19 to enter a bar if accompanied by a parent, guardian or spouse who is over 21. Would allow those 16 or over to enter restaurants which serve liquor if the person enters and remains only for dining. Persons under 16 could enter a restaurant that serves liquor if accompanied by a person over 21 and the parent or guardian of the minor consents. Would allow those between the ages of 16 and 19 to work in restaurants that serve alcohol if the employment does not involve the serving, mixing, delivering, or dispensing of drinks.

Am. No. 2 by Duncan. Adds Sec. 7 of Finance CS. Adopted 22-16-2 (see above for nays) Amendment allows those 19 or over to work in the licensed premises of a hotel, restaurant or eating place and, in the course of employment, to serve, deliver or dispense drinks.

Am. No. 4 by Clocksin was adopted by unanimous consent. It makes a technical correction to statutes references in Sec. 13--necessary due to adoption of Am. No. 1.

Am. No. 5 by Clocksin was adopted by unanimous consent. Deletes

INTRODUCTION OF RESOLUTIONS (House)

Surplus Military Equipment for Fire Fighting

HOUSE JOINT RESOLUTION NO. 32. by Reps. Koponen and Davis. Identical to SJR 6, page 23.

Introduced February 21 and referred to Community & Regional Affairs and State Affairs.

SENATE BILLS RECEIVED IN THE HOUSE

Const. Convention Question  
(info. in election pamphlet)

SENATE BILL NO. 54. (see pages 19;121;209). Received in the House February 23 and referred to State Affairs.

Financial Disclosure  
(certain Legis. officers)

SENATE BILL NO. 95. (see pages 108;172;209). Received in the House February 25 and referred to Judiciary.

Appropriation  
(Snettisham power proj.)

SENATE BILL NO. 105. (see pages 112;172;209). Received in the House February 25 and referred to Resources, then to Finance.

U.S. Public Health Svc.  
(care for non-Native dependents)

SENATE JOINT RESOLUTION NO. 11 (AMENDED). (see pages 84;145;210). Received in the House February 23 and referred to Health, Education & Social Services.

COMMITTEE REPORTS (House)

Imitation Controlled Substances

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 10. (see pages 28;134;149). Reported back to the House February 23 by Judiciary recommending it be replaced with a Judiciary Substitute and that it do pass. Concurring: Bussell (Chairman), Liska, Hayes, Wendte and Barnes. Not concurring: Clocksin signed "do not pass." To Finance.

The Judiciary Substitute changes section relating to delivery of an imitation controlled substance to a minor, providing a person 19 years of age or older (was 18 years or older) may not deliver an imitation controlled substance to a person under 19 years of age (was 18), ". . .who is at least three years younger than the person delivering the substance." (quoted language added by Judiciary). Also changes definition of "imitation controlled substances" to include "their salts".

Voter Registration  
(proof of eligibility)

HOUSE BILL NO. 30, (see page 37). Reported back to the House February 25 by State Affairs recommending it do pass. Concurring: Abood (Chairman), Larson, Furnace, Cowdery and Shultz. To Judiciary.

Imitation  
Controlled  
Substances

HOUSE BILL NO. 10, by Reps. Abood, Wendte, Lindauer, Pestinger. Would establish laws regulating the possession, manufacture, and distribution of "imitation controlled substances."

Defines an imitation controlled substance as "a substance containing ephedrine, ephedrine sulfate, pseudoephedrine, pseudoephedrine hydrochloride, phenylpropanolamine, caffeine, or theophylline, that is not a controlled substance, and that by dosage unit appearance (including color, shape, size, and markings) or by representations would lead a reasonable person to believe that the substance is a controlled substance; . . ." A controlled substance, as defined in AS 11.81.900(6) includes the commonly known "hard" drugs, such as opium, morphine, heroin, LSD, mescaline, etc., as well as prescription barbituates and pep pills and marijuana.

Makes it illegal to possess the following substances with the intent to manufacture an imitation controlled substance: ephedrine, ephedrine sulfate, pseudoephedrine, pseudoephedrine hydrochloride, phenylpropanolamine, caffeine, or theophylline. Would be illegal to "manufacture, distribute, or possess with intent to distribute, an imitation controlled substance." Would be lawful for a person to "knowingly place in a newspaper, magazine, handbill, or other publication, or to post or distribute in a public place, an advertisement or solicitation knowing that . . . [its] purpose is to promote the distribution of an imitation controlled substance in the state." A person violating any of the above would be guilty of a Class C felony.

Makes it a Class B felony to distribute an imitation controlled substance to a minor. Provides that no civil or criminal liability may be imposed on a person who manufactures, distributes, or possesses an imitation controlled substance solely for use as a placebo for medical or research purposes.

Lists property that may be forfeited to the state in a conviction for possession, manufacture, or distribution of controlled substances. Provides for seizure of property without a court order under certain circumstances.

Does not provide for an effective date (effective 90 days after Governor's signature).

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 10, (see pages 28 and 134). The major change in the bill is elimination of lengthy section on forfeitures. Instead provides that property used during or in aid of a violation of laws regulating imitation controlled substances may be forfeited to the state to the extent permitted under laws regulating controlled substances (AS 17.30--see AS 17.30.110, Forfeitures).

The Sponsor Substitute would add "Imitation Controlled Substances Act" to Title 11 (Criminal Law) rather than to Title 17 (Food and Drugs).

Replaces the term "distribute" with "deliver" throughout the bill (e.g. "Delivery of an Imitation Controlled Substance to a Minor"). Definition reads "the actual, constructive, or attempted transfer from one person to another of an imitation controlled substance, whether or not there is an agency relationship."

Adds the following to the list of illegal imitation drugs contained in original bill: lidocaine; procaine; tetracaine; dyclonine; acetaminophen; salicylamide; doxylamine; diphenhydramine; pheniramine; chlorpheniramine; pyrilamine. Would also make possession or delivery of a salt of an imitation controlled substance illegal.

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 10, (see pages 28;134; 149). Reported back to the House February 23 by Judiciary recommending it be replaced with a Judiciary Substitute and that it do pass. Concurring: Bussell (Chairman), Liska, Hayes, Wendte and Barnes. Not concurring: Clocksin signed "do not pass." To Finance.

The Judiciary Substitute changes section relating to delivery of an imitation controlled substance to a minor, providing a person 19 years of age or older (was 18 years or older) may not deliver an imitation controlled substance to a person under 19 years of age (was 18), ". . .who is at least three years younger than the person delivering the substance." (quoted language added by Judiciary). Also changes definition of "imitation controlled substances" to include "their salts".



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

Pouch Y, State Capitol  
Juneau, Alaska 99811  
(907) 455-3991

November 3, 1982

MEMORANDUM

TO: Representative Mitch Abood  
Attention: Carol Horos

FROM: Christine Johnson, Research Staff

RE: Look-alike Drug Laws  
Research Request 82-186

Carol Horos of your staff has asked us for the number of states which have passed look-alike drug laws and the number of states in which such legislation has been proposed. We received the following information from the National Conference of State Legislatures (NCSL):

- As of August 1982, thirty-six states had adopted legislation restricting the sale of look-alike drugs.
- Fourteen states\* did not have look-alike drug laws in August of this year; however, legislation was pending in four of these states (Michigan, Nebraska, New Mexico, and Tennessee). Legislation has also been considered in one other state (Texas), although no law was ever passed.

The federal Drug Enforcement Administration has drafted a model look-alike drug law for states; we have requested a copy of this legislation and will forward it to you when it arrives. We have also enclosed two articles on look-alike drugs which may be of interest to you.

If we can provide any further information, please don't hesitate to contact us.

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\*States without look-alike drug laws include: Alaska, Hawaii, Massachusetts, Michigan, Montana, Nebraska, New Hampshire, Nevada, New Mexico, North Dakota, Tennessee, Texas, West Virginia, Wyoming.

# FDA Seeking to Bottle Up Fake Narcotics

By Peter Early  
Washington Post Staff Writer

In 1930, an Albuquerque teen-ager died after drinking several shots of bourbon at a Christmas party and swallowing two capsules he had been told were amphetamines. Police discovered that the capsules were not amphetamines, but non-prescription drugs made to look like them.

Since then, imitation amphetamines and barbiturates have been linked to 11 other teen-age deaths, according to the Food and Drug Administration.

The federal government faces an unusual jurisdictional problem in trying to control the so-called look-alike drugs. Because their ingredients can be obtained without a prescription, the Drug Enforcement Administration said it doesn't have jurisdiction. The FDA maintains it can play only a limited role because it has certified the ingredients as safe.

While the agencies say they are taking what steps they can, they are somewhat reluctant to take on new enforcement tasks in times of tight budgets.

Fake amphetamines contain large amounts of caffeine, phenylpropanolamine (a nasal decongestant and appetite suppressant) and the decongestant "ephedrine." Imitation barbiturates contain acetaminophen, ethylamide, chlorpheniramine or other sedatives and hypnotic agents.

When the ingredients are taken separately and in small doses, they are considered safe, an FDA spokesman said. But they can cause weakness, insomnia, tachycardia, psychotic episodes, cerebral hemorrhage, drowsiness or death if mixed together in large amounts or taken with alcohol.

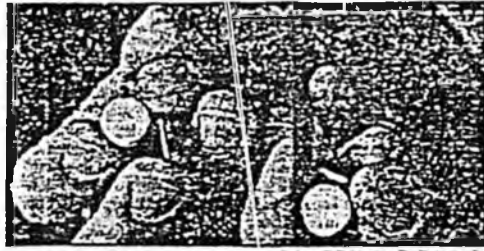
Many young people take them that way, a DEA spokesman said, because they believe that will help simulate the "high" caused by controlled substances. In mid-1981, DEA estimated that 30 million doses of fake narcotics were being manufactured each week and distributed through a network of 200 dealers.

Since 1980, FDA has filed administrative complaints against 48 companies that it claims violated counterfeit provisions of the Food, Drug and Cosmetic Act by making imitation drugs. Over the same period, the U.S. Postal Service has filed 20 complaints that accused drug makers of false advertising because they did not disclose that their products could cause illness or death.

Last week, FDA unveiled what it believes is its toughest tactic to date. It informed 18 small companies that they must submit any products that contain combinations of caffeine, ephedrine and phenylpropanolamine for certification as new drugs. "We have researched this extensively and can find no precedent for the three-drug combination. It would be hard to believe that anyone can show a medical purpose or need for these drugs," said Bill Grigg, an FDA spokesman. In effect, Grigg said, FDA's action will force many of the stimulants off the market.

Last year, DEA drafted a model law for states to ban look-alike drugs. So far, 30 states have enacted legislation. DEA also convinced three companies that make drug capsules to voluntarily refuse orders from suspected imitation drug makers.

While federal officials are confident that their tactics have driven



An example of look-alike imitation drugs, top, and the real controlled substances.

Sen. Gordon J. Humphrey (R-N.H.) said such maneuvering has convinced him that the only way to eliminate the imitation drugs is by giving the DEA, FDA and the Postal

Service jurisdiction. He has introduced legislation that would prohibit the manufacture of drugs that "look like or are represented to be controlled substances." Products that

promote drug abuse would be barred from the mails and FDA controlled laws would be expanded.

But at a recent hearing, Harkin urged Congress to delay passing new legislation. "We are trying to solve this problem through leadership. If we can't solve the problem through state laws then we might need to do it at a federal level, but that's not yet clear," he said.

Illinois Attorney General Tyrone Fahey disagreed with Harkin. Fahey told Congress that although his state has moved against dealers, it still has problems. "Some companies we have sued and closed have popped up again under a new name and location. Just because we stop a look-alike distributor in Illinois doesn't mean we have solved the national problem."

Washington Post, Aug. 29, 1981

mits" which allow a convicted drunk driver to drive only a specified route at a specified time without unauthorized stops.

Several states, Utah, Idaho and Maryland among them, have set the blood alcohol concentration (BAC) level, which determines intoxication, at 0.08 percent, closer to the more stringent laws in Europe where the Netherlands and Norway have the level at 0.05 percent. The new Maryland law adds that state to at least 16 others that allow police officers to administer a breath test at the scene without first arresting the driver. Refusal to take the test then subjects the driver to a six-month license suspension.



Photo courtesy of *The Denver Post*

The new solutions, however, are not expected to be panaceas, the experts admit. Stiff mandatory sentences can irk some judges who find ingenious ways to avoid applying them. Mandatory sentences may result in long lists of offenders waiting to get into crowded jails. Experts also recognize that tougher laws do not always reduce the number of alcohol-related driving deaths. For instance, the British Road Safety Act of 1967 set a BAC level of 0.08 percent as *prima facie* evidence of drunk driving and made punishment upon conviction a mandatory one-year license suspension. Weekend alcohol-related driving deaths declined immediately following implementation of the law but rose to previous levels within a year.

In general, though, the result of the new state laws has been increased media attention and more public awareness, two phenomena welcomed by traffic safety professionals at the National Highway Traffic Safety Administration (NHTSA) where millions of dollars have been spent on public information campaigns in the past. One NHTSA official, Clayton Hall, who specializes in the drunk-driving issue, called the new attention "a squeaky wheel thing." "People are getting interested at the community level and there is an awakening of a feeling that something must be done," Hall said.

*Richard W. Foster*

### The 'look-alike' game: Deception in street drugs

In the shadowy world of abuse of illegal and legal drugs, a new issue that is drawing the attention of state legislatures has surfaced: the sale and use of over-the-counter drugs—called "look-alikes"—that imitate prescription stimulants. Eleven states have banned the distribution of these drugs, and seven more have considered such legislation.

The federal Food and Drug Administration (FDA) has received numerous inquiries and complaints about look-alikes, which are generally similar in size, shape, color, and markings to amphetamine-type products such as bipheteramines and Dexedrine, but which have slight deviations in markings that often go undetected by the buyer.

Illicit drug dealers have recognized that more money could be made selling counterfeits than actual prescription drugs and, in addition, they would be immune to prosecution for selling look-alikes.

The fact that these drugs are frequently mistaken for prescription drugs has caused serious problems. Many young users have overdosed by confusing the strong prescription drug with its imitation. Also, confusion of counterfeits with prescription drugs interferes with the ability of doctors to treat an overdose victim. Although the FDA has received four reports of deaths associated with the use of these drugs, the causes of death could not be directly attributed to look-alikes.

Look-alikes typically contain two-thirds caffeine and one-third cough-cold ingredients such as phenylpropanolamine (an appetite suppressant and nasal decongestant) and ephedrine sulfate (a decongestant). They are labeled in compliance with current FDA labeling requirements for use as stimulants for mental alertness and as decongestants and bronchodilators for managing bronchial asthma. Since these drugs are legitimately manufactured and properly labeled, they are considered legally marketable. By the time they filter down to the user level, however, they are almost always unlabeled and misrepresented.

The drugs produce constriction of

\*Arkansas, Colorado, Connecticut, Delaware, Florida, Indiana, Kansas, Louisiana, Maryland, Oklahoma, and South Dakota have passed legislation banning the distribution of these drugs, and Illinois, Minnesota, New Mexico, Ohio, Pennsylvania, Tennessee, and Texas have considered similar bills.

blood vessels, which in turn elevates blood pressure and, if taken in large quantities, can cause blood vessels to collapse. Reported abuse syndromes—very similar to the amphetamine abuse syndrome—include over-excitement, insomnia and hallucinations, all of which can lead to toxic psychosis.

The FDA is encouraging and supporting state attempts to formulate and develop regulatory laws to deal with this problem. Delaware took the lead by passing anti-fraud legislation in 1980. When the Maryland General Assembly learned of increasing use of look-alike drugs in schools, the Anne Arundel County delegation sponsored a bill that expanded on Delaware's statute.

The Maryland law prohibits "distribution, attempted distribution, or possession with intent to distribute non-controlled substances intended for use or distribution as controlled dangerous substances." The law is aimed at major volume distributors, not just street dealers. Since the law became effective in June 1981, 12 major distributors have closed or moved their business out of the state, and there are now no known distributors in Maryland. The counterfeit problem still exists, however, because of mail order businesses. Many of the complaints the FDA has received have been from the parents of children who ordered fake "pep pills" after receiving unsolicited mail-order literature.

Despite state and federal attempts to prohibit the distribution of these drugs, sales are on the rise. It is estimated that as many as 100 million look-alikes may be sold this year, compared to 70 million pills of amphetamines.

The FDA had not fully articulated its position on counterfeit drugs until September 28, 1981, when the agency raided nine factories in Alabama, Florida, Illinois, New York, and Pennsylvania. Equipment and over 10 million drugs were seized under a section of the Food, Drug and Cosmetic Act that defines a counterfeit drug and states that such drugs are liable to seizure.

*Jane Germano*

*Kaye Bache-Snyder is a free lance writer in the Denver area. Michele R. Magri is editorial assistant for NCSL's Publication Department. Richard W. Foster, a former Associated Press reporter, is a free-lance writer based in Denver. Jane Germano is a support staff member with NCSL's Natural Resource Information Systems.*

### More Work for Police

X When a drug is sold as speed, the authorities have to assume that it is speed. "Once this stuff gets on the street, it's dope," says Mr. Golden. "It's dealt with the same way." So the upsurge in look-alike traffic means more work for the police. It also means more work for drug companies fighting misuse of their products. It is bad enough when your product finds its way into the street-drug trade. It is even more infuriating when it's something *disguised* as your product.

Despite efforts by local, state and federal officials, the look-alikes keep coming. One federal official estimates that as many as 100 million may be sold this year. That compares with 70 million of the actual amphetamines. The number of wholesalers pushing the bogus speed, Mr. Golden says, has jumped from a dozen a few years ago to about 120 now.

"It is like dealing with a grased pig," says Richard J. McMahon of the attorney general's office in Delaware. In June 1980, that state became the first to pass an anti-fraud law aimed at halting the flow of look-alikes. So far, only two cases have reached the courts; the state won one of them, "and even then the penalty was probation," Mr. McMahon says. More recently, nine other states have passed such laws: Arkansas, Colorado, Connecticut, Indiana, Kansas, Louisiana, Maryland, Oklahoma and South Dakota.

It may seem strange to charge someone with fraud for selling something legal instead of illegally selling something that is more dangerous anyway. But the federal drug authorities seem powerless to halt the look-alike traffic, so the states, with federal encouragement, are doing whatever they can.

There is no federal law protecting people who think they are buying speed but get look-alikes instead, and the ingredients in the look-alikes aren't controlled substances under federal regulations. So federal offi-

Please Turn to Page 21, Column 2

## Fake 'Speed' Causes Almost as Much Fear As the Real Thing

### Look-Alikes, Mainly Caffeine, Used by Many Youngsters; Some Deaths Are Reported

By STEVE R. MASSEY

Staff Reporter of THE WALL STREET JOURNAL

CLEVELAND—"Pink footballs," "black beauties" and "yellow jackets" were confiscated here during the recent arrest of a street dealer who sells drugs to kids. But the dealer had to be released.

It turned out that the capsules were misnamed. They weren't what many of the dealer's customers thought they were: forms of "speed," the drug-world term for potent amphetamines that make a user's heart race and his nervous system tingle. Doctors prescribe amphetamines mainly for losing weight. Without a prescription, it is illegal to sell them.

But the capsules that the dealer was nabbed with are perfectly legal to sell in most places. Though disguised as pink footballs and the like, they are no stronger than three cups of coffee. In fact, caffeine is the main ingredient in most of them. Yet they, too, can be dangerous.

These stimulants are called "look-alikes" by narcotics agents. Once found almost exclusively in truck drivers' pockets, they have been cropping up all around the country. College and high-school students are gulping them for pick-me-ups. So are junior-high pupils and even younger children. The trend worries many adults.

#### Reports of Overdoses

The fake speed is causing almost as much alarm as genuine speed. Laurence B. Golden, a staff assistant with the intelligence office of the federal Drug Enforcement Administration, says his office receives daily reports of overdoses—and occasionally of deaths.

The dangers of look-alikes, however, are certainly less than the dangers of speed. "The real problem is that the young people are getting in on the drug scene and taking these things," says James Tudor of the Ohio State Board of Pharmacy. "It's a very natural step up into the real thing."

On the other hand, the buyer of a look-alike may already be a speed user who thinks he is getting speed again this time. If so, he almost certainly won't get the buzz he expected to get, so he may take more and more of the look-alike. That could lead to an overdose. Or it could lead him to think that he needs more speed than he used to. Then, the next time he gets *real* speed, he may overdose on that.

A look-alike pill typically is two-thirds caffeine. The remaining one-third usually is composed of two anti-allergic agents: ephedrine sulfate and phenylpropanolamine. These constrict blood vessels, and if taken in excessive quantities can collapse them.

# Almost as Much Fear as Real Ones

Continued From First Page

cialists are forced to pass the buck.

Not the postal service, though. Ned Friece of the U.S. Postal Inspector's Office says the agency has filed 39 complaints with an administrative-law judge, all charging distributors of the capsules with falsely representing them as safe. (Distributors may be developing a damned-if-I-do, damned-if-I-don't complex. If they say they are selling speed, the anti-fraud laws may get them. If they truthfully say they are selling the caffeine pills, and state or imply that they are safe, the post office may get them.)

Mostly, however, federal authorities simply urge states to enact stiffer anti-fraud penalties, and they give vocal support to state and local enforcement efforts.

## Death in Michigan

Ohio is considering legislation requiring packages of look-alikes to disclose that the contents aren't speed. Michigan, operating under an existing deceptive-trade law, has shut down one look-alike wholesaler and banned three others from selling the pills in the state. According to the Michigan attorney general's office, two young women in Flint, Mich., died a year from overdoses of 50 or more look-alikes each. The deaths may have been suicides.

Douglas Vivian, a pharmacist for the poison-control center and drug-information service at Hurley Medical Center in Flint, says a dose of 10 grams can be fatal. The average look-alike, experts say, contains 200 milligrams, so a 10-gram dose would be 50 pills.

But Jerry O'Donnell, the director of the police-department laboratory in Albuquerque, N.M., says there is "no way to tell" what constitutes an overdose because "it varies from person to person." Mr. O'Donnell says that three young men aged 15 to 20 died in Albuquerque during the last year after taking look-alikes. While the victims had been doing some drinking, Mr. O'Donnell says, all had been "in excellent physical condition; they all died of brain hemorrhaging, which is symptomatic of ephedrine (sulfate) and PPA (phenylpropanolamine)."

## Firms Take Steps

Some established drug companies are trying to dissociate themselves from look-alikes. SmithKline Corp. in Philadelphia discontinued its green-and-clear diet-capsule line, Dexamyl, after it discovered that capsules disguised as Dexamyl were being sold as speed. Pennwalt Corp.'s Philadelphia division has successfully barred four companies from pushing imitations of its popular Biphedamine 20—the real "black beauties."

The founder of the look-alike industry, William Saye, 38, of Fairburn, Ga., applauds the prohibitive measures. "Today, it is being abused," he says. "Kids don't know how to handle business. There are too many bathtub operations in existence now and not enough quality controls."

Mr. Saye started selling caffeine pills wholesale out of his truck cab in Georgia in 1975. The next year, as business expanded, he set up Saye Drug Co. there. In 1977, he

moved the company to a Tampa warehouse and changed its name to OTW Distributors Inc. By the end of that year, he had almost 50 employees selling the pills at truck stops in almost every state. The salesmen were called "peashooters," and drivers would contact them over citizens'-band radio. Mr. Saye says that his salesmen, when asked, were supposed to tell a customer that the pills weren't speed—or risk being fired. By 1980, when he retired from the drug trade, Mr. Saye's business was bringing in about \$8 million annually in sales. The pills were obtained from a Long Island manufacturer. Evidently it was all perfectly legal.

Despite "hassles with the police and the press," Mr. Saye says, "I'm proud of what I've done. I ran the business right. Now I just want to lead a normal life, raise some beef cattle, and enjoy my two girls and two boys."

## Small Operations

Today, most wholesale distributors are small operations, often a husband-and-wife team working out of their home. "About all they have to do is file a one-page registration form," says an official of the Food and Drug Administration. Sales are handled mainly by mail or phone except for a few storefront concerns in Albuquerque and Los Angeles with such names as the Source and the Pick-Me-Ups.

The distributors don't advertise much, though some ads run occasionally in local and college newspapers and a few national magazines. Instead, they leave calling cards in such places as truck-stop restrooms and college dormitories—a practice started by

them. Supplies come from larger wholesalers such as Clifton Pharmacal Inc. in Milroy, Pa., which has its own pharmaceutical factory, or from one of an estimated 10 to 12 big manufacturers in Pennsylvania and on Long Island. They are sold in high volumes, in lots of 100 or 1,000, at prices ranging from about two cents to 10 cents a pill. On the street, says Mr. Tudor of the Ohio pharmacy board, they fetch anywhere from 50 cents to \$8 a pill.

Most distributors won't divulge earnings, but estimates are that average sales for a medium-sized company can range between \$500,000 and \$1 million a year. Jerry Hecht, the founder of the Pick-Me-Ups in Albuquerque, says that his six stores average \$1,000 a week each in profits.

P. 60 RKY. NEWS 4/2/82

## At least 12 deaths attributed to use of 'look-alike' drugs

CHICAGO (UPI) — Counterfeit pills sold increasingly on the streets as "look-alike" hard drugs have killed at least a dozen users, the American Medical Association reported Thursday.

Authorities are essentially powerless to prosecute the sale by pushers of such drugs, which contain a combination of easily attainable ingredients found in appetite suppressants and decongestants, the AMA report said.

"They're called look-alikes because they mimic the size, shape and color of controlled substances — usually amphetamines or tranquilizers," said the AMA report.

Counterfeit "black beauties," "yellow jackets," "dexies" and other drug culture names for speed have caused 12 deaths, federal Food and Drug Administration investigations have confirmed.

They include a 17-year-old Belvidere, Ill., girl who died after taking what police presumed to be "black beauties," and a 17-year-old Albuquerque boy who consumed two counterfeit bipheta-mines (a type of amphetamine), lapsed into a coma and died. Several other victims have suffered paralysis after suffering strokes because of the drugs.

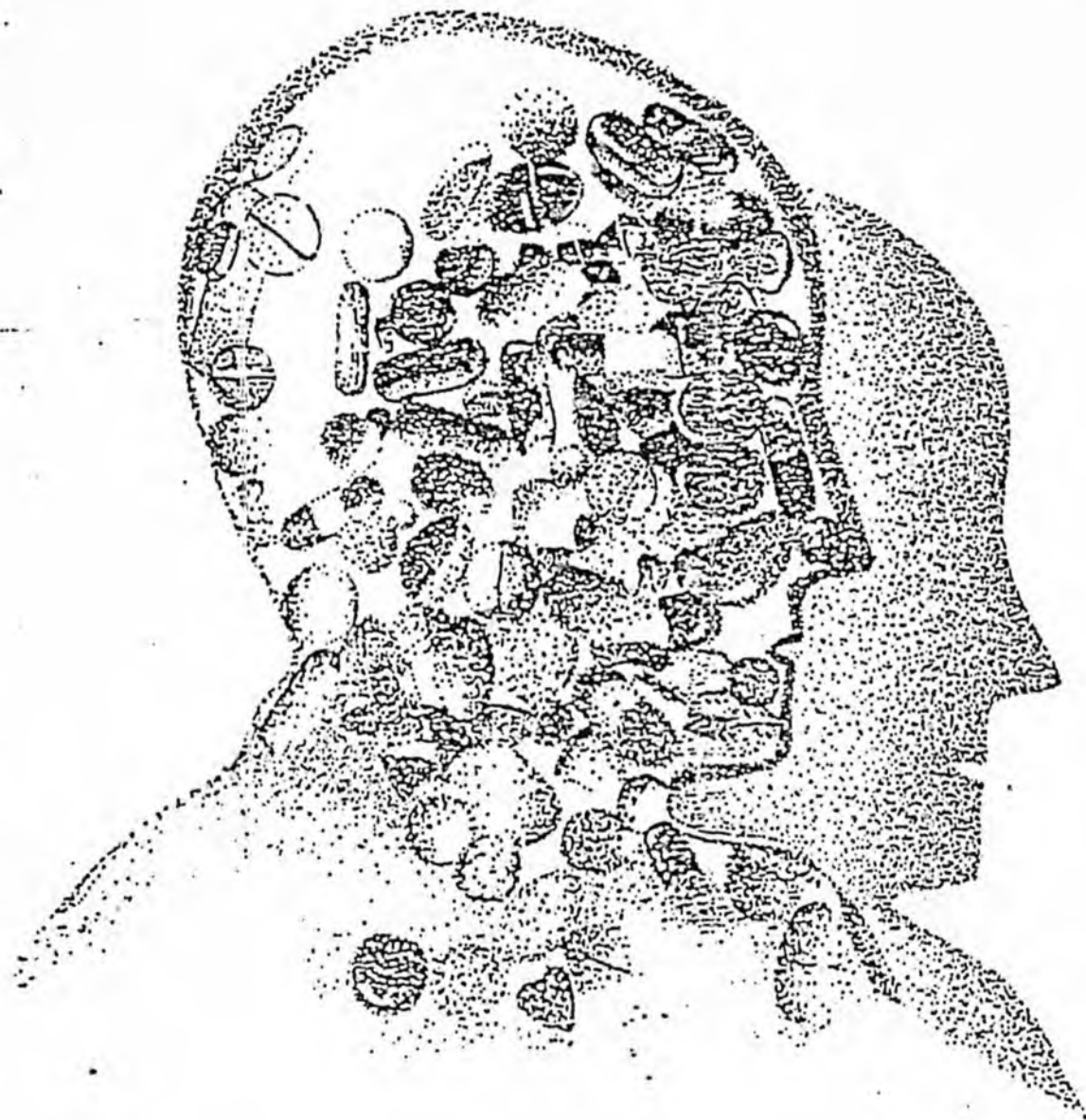
In addition, at least nine suicides are linked to counterfeit drugs, most of them attributed to caffeine overdose.

A typical "look-alike," manufactured for a few pennies and sold to unwitting purchasers at huge profits, contains up to 200 milligrams caffeine, 50-75 milligrams phenylpropanolamine and 30 milligrams ephedrine. Their combined effect on a user "is unpredictable," the FDA said.

# Trafficking in Look-Alikes ; an Update

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## Trafficking in Look-Alikes; an Update

Recent federal and state actions have seriously affected the rampant trafficking in look-alikes that has been sweeping the country. Look-alike distributors, who began assaulting the nation with a blizzard of capsules and tablets early in 1980, and the manufacturers who supply them have been dealt a series of regulatory setbacks that may portend an end to this multi-million dollar industry.

Look-alikes are carefully designed to resemble or duplicate the appearance of brand name amphetamines, barbiturates, tranquilizers, and narcotic pain killers in both capsule and tablet form. On the street, they are known by the same names as their dangerous drugs counterparts: Black Beauties, Dexies, Yellows, Christmas Trees, and Rainbows. But look-alikes contain only non-controlled substances such as caffeine, ephedrine, phenylpropylamine, acetaminophen; and other over-the-counter non-prescription drugs.

As the number of mail order and store front wholesale distributors grew from a mere handful in early 1980 to more than 150 outlets by November of 1981, the production of look-alikes was reported to have soared to 30 million dosage units per week. During the past year and a half, the look-alike industry has flooded the nation's campuses and schoolyards with hundreds of millions of these pills. Intelligence derived from local police agencies, hospital emergency rooms, and medical examiners reveals widespread abuse, especially among teen-agers and college age youths.

In marked contrast to the methods used by illicit drug traffickers, look-alike distributors have conducted extensive advertising campaigns claiming their products to be both safe and legal. They have utilized full color brochures, magazine ads, highway billboards, and even television spots designed to appeal to teen-agers and young adults. Using commercial mailing lists, distributors have mailed colorful business cards directly to young recipients.

The easy availability of look-alikes has encouraged a climate of acceptance among many teen-agers and has conditioned them to the daily trafficking, handling, and consumption of these "pharmaceutical stimulants." In many places, look-alikes have become as much a part of the drug culture as the shopping center head shop and the paraphernalia vendor.

As the abuse of look-alikes grew, the public health dangers of these substances quickly became apparent. It is obvious that the young consumer who thinks that he has been purchasing "speed" or "ludes" and has become used to taking several look-alike

capsules or tablets at a time in order to "get the full effect" runs the risk of serious overdose or death if one day he ingests the same number of real controlled substances. In addition to this danger, the look-alikes, themselves, can have serious damaging effects. The number of emergency room incidents attributable to these drugs has risen dramatically in the past year. More than a dozen deaths caused by look-alikes have been reported from around the country. More deaths from caffeine overdose and emergency room hypertensive incidents from severe reactions to phenylpropanolamine may have occurred but have gone unreported.

Although trafficking in look-alikes is not prohibited by the federal Controlled Substances Act, the Drug Enforcement Administration considers that the distribution and sale of look-alikes, as of drug paraphernalia, encourages and contributes to drug abuse and drug profiteering. The look-alike problem is one more facet of the nation-wide drug abuse problem. For these reasons, the DEA has undertaken a six-point program against look-alikes. Briefly stated, the six points are:

1. Drafting of a Model Imitation Controlled Substances Act<sup>1</sup> for concerned states to adopt.
2. Preparation of documentation describing the problem, distribution patterns and practices, and other information to be used in support of the Model Act.
3. Fostering intergovernmental agency cooperation and providing active support to other agency efforts.
4. Enlisting the support and voluntary cooperation of the legitimate pharmaceutical industry.
5. Publicizing the DEA initiative and encouraging the support of parent and community groups.
6. Targetting of states heavily involved in look-alike distribution and manufacture to encourage legislative action.

More than a dozen states have enacted or are considering legislation targetted against the manufacture and distribution of look-alikes. States with legislation now on the books include Arkansas, Colorado, Connecticut, Delaware, Florida, Indiana, Kansas, Louisiana, Maryland, North Carolina, Oklahoma, Oregon, and South Dakota. Some cities, such as Independence, Missouri, have passed local ordinances prohibiting storefront look-alike sales. In other state action, the Attorney General of Illinois has filed complaints against 39 look-alike distributors. To date, he has obtained verbal agreements from 15 distributors to cease and desist selling in the State of Illinois and he has obtained temporary restraining orders against three others.

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<sup>1</sup>Copies are available upon request from the Dangerous Drugs Section, Office of Intelligence, Headquarters, DEA.

sn:igis (202) 533-1263

The legitimate pharmaceutical industry also has been cooperating in efforts to eliminate the look-alike problem. The Eli Lilly Company, one of the largest manufacturers of gelatin capsules, has, since July 1981, refused to sell capsules to look-alike manufacturers. Other capsule manufacturers also have indicated a willingness to cooperate in this effort. The resulting lack of capsules already has begun to affect the look-alike distribution chain and some distributors say they can no longer obtain "Yellows" and "Black Beauties."

Recent actions by federal government agencies are having salutary effects on the problem too. During the past several months, the U. S. Postal Service has filed complaints against 39 look-alike distributors. To date, the Postal Service has concluded consent agreements with nine distributors and has obtained False Representation Orders against nine others. The False Representation Orders require postmasters to stop the delivery of all mail to the subject distributors.

The most significant federal action yet taken occurred on September 30, 1981, when the Food and Drug Administration filed counterfeiting and mis-labeling complaints against nine manufacturers of look-alike drugs. With the assistance of U. S. Marshalls in five states, seizures of equipment, materials, and finished products were effected at the following locations:

BT Pharmaceuticals, Inc.  
Tampa, Florida

Pharmadose, Inc.  
Bohemia, New York

Frye Pharmaceuticals, Inc.  
Birmingham, Alabama

Standard Pharmacal Corp.  
Elgin, Illinois

Jerome Stevens Pharmaceuticals, Inc.  
Central Islip, New York

LNK International, Inc.  
Hauppauge, New York

Valley Run Pharmaceutical  
Milroy, Pennsylvania

VIP Pharmaceuticals, Inc.  
Pearl River, New York

Newtron, Pharmaceuticals, Inc.  
Coram, New York

An inventory of seized items includes: 15 million filled capsules, 800,000 tablets, 20 million empty capsules, and over one million dollars worth of equipment including offset rollers, capsule printers, tablet punches and dies, and tablet presses. The FDA felt that its case against a tenth manufacturer, Ketchum Laboratories of Amityville, New York, was inadequate to support any enforcement action at that time.

As a result of the FDA actions, one of the manufacturers has already signed a consent agreement to cease and desist production of look-alikes, and two more companies are also negotiating consent agreements. Information on responses by the other manufacturers was unavailable as of the date of this report.

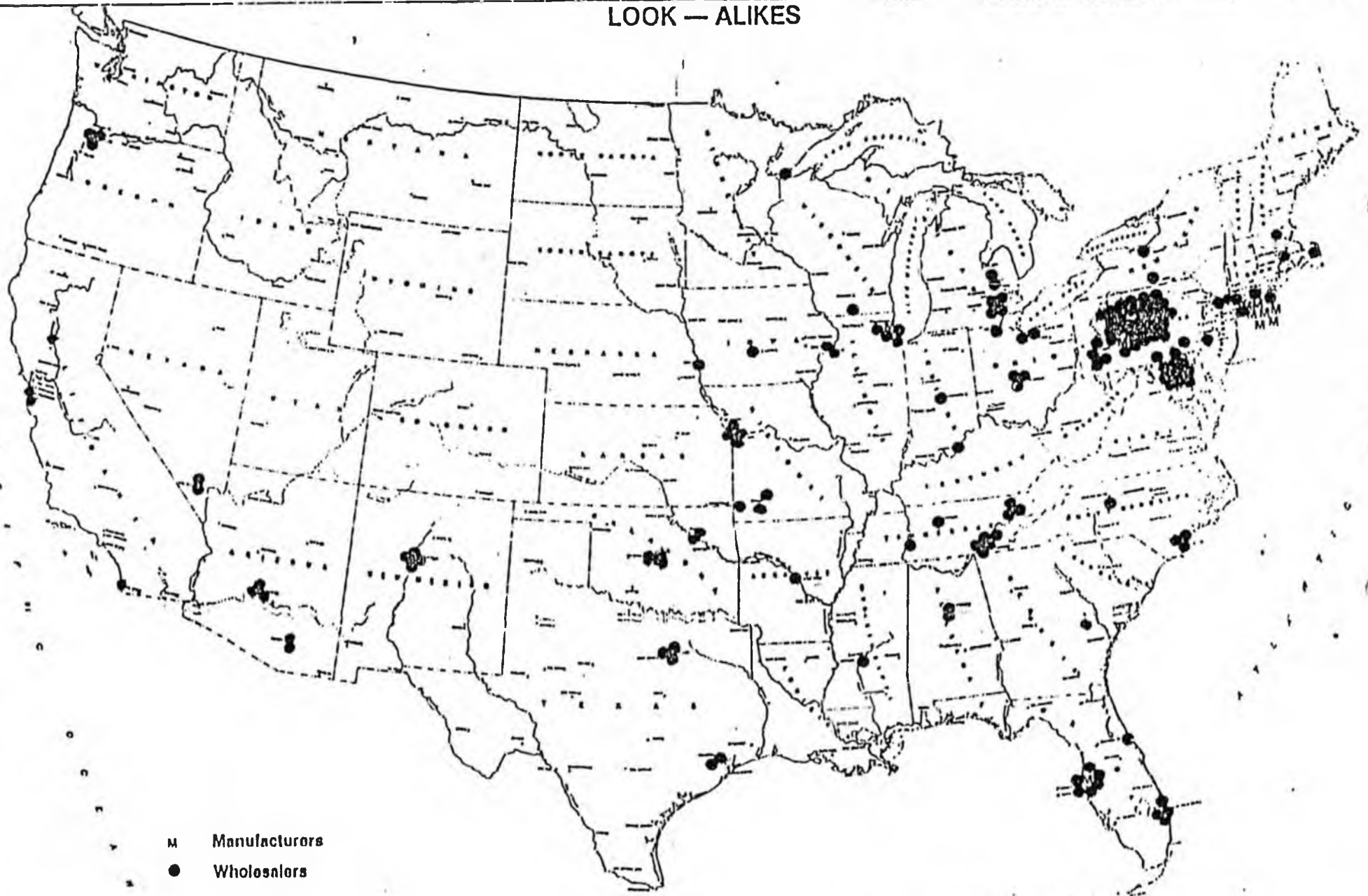
The actions described above comprise a promising start toward ending the nation-wide trafficking in look-alikes. It is too early to make an accurate evaluation of the overall damage suffered by look-alike traffickers, but there is room for some optimism. Continuing action by federal agencies, state and local governing bodies, the pharmaceutical industry, and the public will be required to eliminate the look-alike problem from this country.

Laurence B. Golden  
Office of Intelligence  
November 2, 1981

(202) 633-1263

UNITED STATES

LOOK — ALIKES



M Manufacturers

● Wholesalers



# ITEMS OF INTEREST

## COCAINE SUBSTITUTES

The growing popularity of cocaine as a recreational drug and the economics of its high price and limited supply have led to the widespread use of substitute drugs. These compounds appear as adulterants in street cocaine samples and are also promoted as legal alternatives to cocaine itself. The number of users reporting adverse reactions to these substitutes is increasing concomitant with the sales of these drugs in paraphernalia shops, health food stores, grocery stores, and via magazine mail order. I have recently examined 61 users reporting these undesired effects and have analyzed the contents of their cocaine substitutes. I have also seen four patients requiring clinical attention for cocaine substitute reactions at the UCLA Neuropsychiatric Institute.

Most cocaine substitutes appear as adulterants in street samples because they mimic the physical and/or pharmacological properties of cocaine itself. The most common substitutes are sugars (mannitol, lactose, dextrose, sucrose, inositol), local anesthetics (procaine, lidocaine, benzocaine, tetracaine, butacaine), and inert diluents (talc, flour, corn starch). Rarely, other drugs and minerals are found including acetaminophen, amphetamines, ascorbic acid, boric acid, caffeine, calcium, heroin, ketamine, magnesium sulfate, methaqualone, pemoline, phencyclidine, potassium, quinine, salicylamide, and sodium bicarbonate. A preparation known as "Green" or "Special LA Coke" has been identified as ketamine and mannitol. This has been associated with cases of hallucinosis and transient psychosis. "California Brown" is promoted as a cocaine and coffee substitute and contains a mixture of ground tobacco and trace amounts of metamphetamine. This latter substitute has resulted in several emergency room admissions with diagnosis as nonfatal nicotine poisoning marked by insomnia and nausea.

A rapidly growing number of products promoted directly or indirectly as cocaine substitutes are currently advertised and purchased in the United States. In order to circumvent FDA controls, manufacturers package the substitutes as incenses; and some provide labels that caution against inhaling vapors or human drug use. However, many of these products are psychoactive when burned even as an incense

and few list the active ingredients. Their intended use as legal alternatives to cocaine is unmistakably evident from advertising statements including: "new legal cocaine substitute" (Ma-Huang\*); "will bring a smile to your face and blow your troubles away" (Coca Leaf Incense\*); and "like the real thing" (Rock Crystal Snuff\*). Following intranasal or inhaled use, most users report feelings of excitement, stimulation, mental alertness, and even euphoria. While placebo effects cannot be ruled out, the amounts of stimulants present are substantial. For example, an average dose of Cocafine Snuff\* delivers 75mg of caffeine while an average dose of Cokesnuff\* can deliver 20 - 60mg of nicotine and result in nonfatal poisoning.

However, most cocaine substitutes do not produce adverse reactions but do mimic the physical appearance of cocaine hydrochloride and, often, some of cocaine's physical properties as well (e.g., melting point, bitterness, numbing, solubility). Some cocaine substitutes, like the look-alike stimulants, may also possess strong psychoactive properties. Indeed, lidocaine is a popular substitute and has been found to have stimulating effects similar to cocaine after intranasal application. Cocaine smokers also report that the smoking of pure lidocaine is similar to cocaine free base. Lidocaine, when administered in high doses, also produces cocaine-like seizure activity in the brain. This may help explain the observed stimulation and arousal in such users. Many users will mix such substitutes with street cocaine hydrochloride prior to extracting the cocaine free base for smoking. In addition, several substitutes (e.g., Florida Snow\*) are designed to be added to free base itself; and many others contain volatile psychoactive bases (e.g., lidocaine) which will survive the chemical extraction processes and can be smoked.

The widespread use of cocaine substitutes presents several problems for the narcotics officer. Plain view of a white cocaine-like powder, even when the arresting officer observes the suspect to administer it intranasally, may no longer be sufficient evidence for search and seizure. In a Tennessee federal trial (United States vs. Baldwin), the defendant was seen sniffing a white powder from a small glass vial but no evidence was obtained at that time. The observing police officers testified that the powder was cocaine, although they based their opinion only on the visual characteristics observed at some distance. The defense produced a large assortment of commercially available cocaine substitutes, all of

which were legal white powders used intranasally. They were displayed to the jurors who dismissed one of the counts against the defendant.

The cocaine substitute problems are not likely to disappear quickly. Increasing user familiarity with intranasal cocaine will most likely increase the experimental intranasal use of other stimulant drugs. The reports of associated adverse reactions with cocaine substitute use, and the rarity of such reports with pure cocaine, suggest that the "real thing" is less problematic in normal patterns of use than its substitutes.

Quantitative analyses of several popular cocaine substitutes available in the Western United States were performed by myself and colleagues in the Clinical Pharmacokinetic Laboratory at the USC School of Pharmacy. When more than one sample of the product was analyzed, it is listed as a "Batch" number. The inconsistency in the analysis of different batches reflects poor quality control by the product manufacturer. All product names are registered trade marks or copyrighted names. Adulterants, but not diluents, were assayed here....

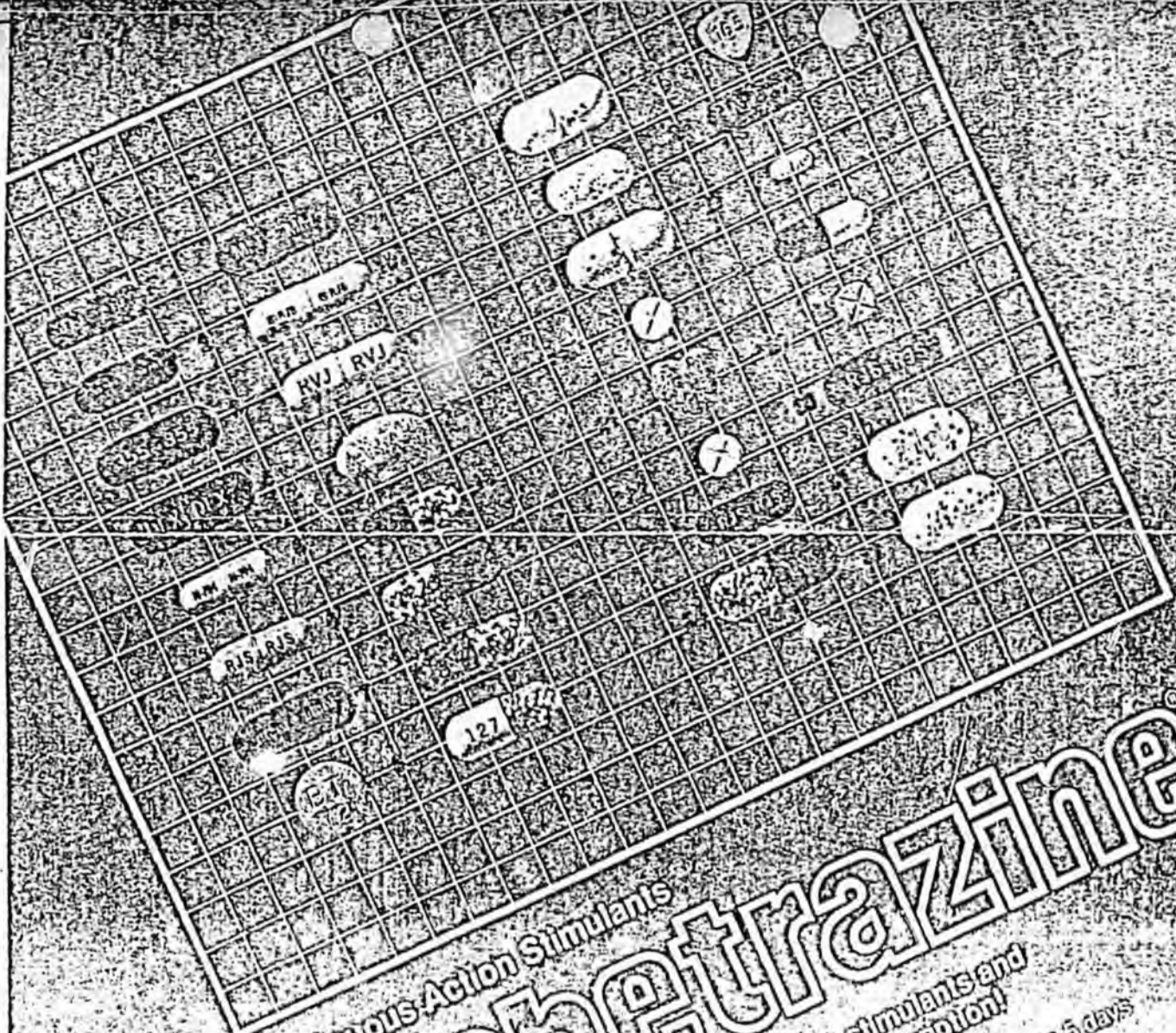
\*Registered Trade Name or Copyrighted Name.

<u>Cocaine Substitute Trade Name</u>	<u>Quantitative Results</u>
Coca Leaf	Procaine 59.4% Caffeine 14.4%
Coco Snow (Batch #1)	Benzocaine 32.5% Procaine 32.0% Caffeine 8.7%
Coco Snow (Batch #2)	Benzocaine 20.0% Procaine 12.1% Caffeine 4.3%
Crystal Caine	Caffeine 51.0% Phenylpropanolamine 22.9%
Florida Snow	Lidocaine 23.0%
Milky Trails (Batch #1)	Lidocaine 51.6% Ephedrine 1.1%

Milky Trails (Batch #2)	Lidocaine 26.8% Ephedrine 11.0%
Pro-Crystal (Batch #1)	Benzocaine 14.9%
Pro-Crystal (Batch #2)	Benzocaine 22.0%
Pseudo Caine (Batch #1)	Phenylpropanolamine 53.7% Ephedrine 26.7%
Pseudo Caine (Batch #2)	Phenylpropanolamine 59.6% Ephedrine 32.1%
Pseudo Caine (Batch #3)	Phenylpropanolamine 91.9%
Real Caine (Batch #1)	Phenylpropanolamine 77.4% Benzocaine 2.6%
Real Caine (Batch #2)	Phenylpropanolamine 67.0% Ephedrine 33.0%
Real Caine (Batch #3)	Phenylpropanolamine 51.5%
Repro Crystals	Procaine 59.0% Caffeine 24.8%
Rock Crystal	Procaine 28.4% Benzocaine 5.8%
Summa Caine (Batch #1)	Phenylpropanolamine 7.5%
Summa Caine (Batch #2)	Phenylpropanolamine 71.9%
Synth Coke (Batch #1)	Ephedrine 2.7%
Synth Coke (Batch #2)	Pseudoephedrine 13.0%
Toot	Benzocaine 41.3% Caffeine 20.3%
Ultra Caine	Ephedrine 25.1%

Submitted by

Ronald K. Siegel, Ph. D.  
Dept. of Psychiatry and Biobehavioral Sciences  
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too with your innards, my friend, and your  
outerwards ain't very pretty, either. Here  
Sambu, lemme sit on that one up."

Maclehearn gently pinched the top end  
of a marvelous crimson woad that arced  
around the left quarter of Connie's bread  
basket, and ran a suture through it without  
drawing a speck of extra blood. "Now, you  
don't want to know how fucked up you are,  
Connie," he said conversationally. "Your  
job now is, you just lay back and let us carry  
you home. Don't think about nothing un-  
less n it's pussy and air-conditioning,  
okay?" He looked up from his amazingly  
precise stitch work and rattled off a string of  
Hmong at a couple gooks chopping up the  
bamboo with machetes. "We're gonna  
make you a nice poncho stretcher and carry  
you straight on home, all the way home,  
like an Abyssinian prince on his imperial  
palanquin. You just think about that, my  
man."

Abyssinia was a pleasant thing to think  
about, to take a person's mind off his ter-  
rible injuries. It was high up in Africa, Con-  
nie had heard somewhere, they called it  
Abyssinia because the mountains were so  
high. High and cool and dry. Abyssinia was  
a fine, cool place to think about, instead of  
being all crushed and bugged up and  
bloody in this jungle sumphole. He would  
like to visit Abyssinia. In fact, he could  
dream himself there, with no effort at all.

Every time Connie started to come down  
out of it, over the day and a half it took them  
to get him to a Medevac unit, the specialist  
Maclehearn fixed him up with another  
dose of Doc Dai's Number Four. Once at  
night, he realized that they were under fire,  
because of the fascinating musical patterns,  
exquisitely meaningful in their regular irreg-  
ularity, created by the incoming and  
outgoing. "It's another kind of singing to-  
gether," he told Maclehearn. "I recall  
another way people have of singing with  
each other. Can you understand that,  
Maclehearn?"

"Sure, Connie. It's a big old E-wise  
jamboree." Maclehearn slung off another  
rocket into the jungle, and someone started  
screaming. "That fucker just turned into  
soprano, Connie. Give us E over high  
slope!" And he flung another rocket into a  
different place.

The Medevac orderly tried to fix him up  
with Demerol, but Maclehearn wouldn't  
hear of it. "This boy's on a special prescrip-  
tion from Doctor Dai in Saigon, my man.  
He got so fucked up on the Trail, he deserves  
nothing but the best."

"But he's got no special—"  
"Shut your hole, friend," Maclehearn  
said in an easy voice that would have shut  
up Lyndon Baines Johnson himself. It was  
the last thing Connie ever heard him say  
and remembered. Once they got him to the  
marine base, they started giving him some-  
thing different, something that took his  
memory clean away, and filled his head  
with weird animals and ghostly noises.

continued on page 83

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root. No more propitious opportunity would ever offer itself for killing Price, that was all he could think of.

The V.C. snipers—if they were V.C., and not Kuomintang, which was more likely—had been scared off by the shelling, it seemed, knock wood. Unholstering his Luger and snapping a round in the chamber, Connie plastered himself by the door of the blockhouse and waited for Price to dash out.

But no dash. "Goddamn sunbitch clumsy marine!" the major was yammering. "You pick up all Doc Dai's fucking money here, man. You no take off with Doc Dai's dope and leave his money all over the floor, marine. I kill you here fucking dead forever, cheat marine!"

Connie edged his cheek around the concrete corner, laying the barrel of the Luger across his nose. Inside, in the kerosene-lamp flicker, Lieutenant Price was on his knees, his bald spot toward the door, scooping loose clusters of dollars and francs from the clay floor into his briefcase while the snarling ARVN major held an M 14 on him. They both looked up as the faraway 155s rumbled again, but Connie ducked out of view in time.

Again, two blasts simultaneously at some distance. Then the breath went out of Connie's chest as though a fist had hooked into it to rip his lungs out, and an enormous hardbound book slammed together around his temples. In the singing silence afterward, he found himself sitting against the concrete blockhouse, which was still there. Connie was still there, too, as it turned out, with his arms and legs apparently still working. And he could see well enough, though everything was cherry red, to do the job.

Hustling to his knees, Connie swung around into the doorway with his pistol gripped straight-armed before him, crouched and steady in his left hand. Child's play. Price's bald spot was right in front of him, since the man was doubled over on his knees holding his ears. Connie didn't even watch as he fragged the fucker with two rounds; his eyes were locked with the major's beady, shell-shocked glare. The major had set his rifle aside to cover his own ears, and watched in shell-shocked resentment as the pistol barrel retrained on him. He belched audibly as a round took him through the heart, and turned half around, then fell down with a crash as another round fetched him in the spine. Connie noticed with curiosity that he could clearly hear these incidental sounds, but not the pistol-fire, which seemed too loud to be audible, somehow.

He heard the artillery murmur again, miles away, clear enough. The murderer was dead, everything was on fire and Connie was suddenly possessed with an overwhelming yearning for deep jungle. He was halfway to the perimeter wire by the time the rush-and-yodel tore overhead, and the blast waves actually aided him in body-



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### Midwest Pharmaceutical

P.O. 623  
 Flint, MI 48501

\$3.00 to \$5.00 per 100  
 \$13.00 to \$25.00 per 1000

Several Different Kinds

# 404-396-5396




**T&G** OTC/CONTROLLED SUBSTANCE "LOOK-ALIKE" MFR. CONSENT AGREEMENT signed by R.S.L. Pharmacal prohibits the Maryland-based company from mail promotion of OTC drugs which contain caffeine or other ingredients but which resemble controlled substances. The consent agreement concluded a complaint action filed before an administrative judge by the U.S. Postal Service charging R.S.L. "engaged in conducting a scheme or device for obtaining money or property through the mail by means of false representations." R.S.L. signed the agreement on July 13.

§ The consent agreement stipulates that R.S.L. will cease selling or promoting "any drug product that, by virtue of its shape, size, color or markings resembles or may be easily mistaken for any other established drug product containing a controlled substance." The company is also prohibited from selling any drug product unless the active ingredient is conspicuously disclosed, and from selling any drug product "in amounts exceeding 20 dosage units" unless it is clearly disclosed that subsequent distribution of the product is illegal without proper FD&C Act labeling.

The complaint against the Maryland operation is the first of a series of actions being considered by the Postal Service against mfrs. of counterfeit "street" drugs. Reportedly, the Postal Service has identified over 60 companies nationwide engaged in the business, including 18 in the so-called capital of the trade, Louistown, Pa.


§ The action undertaken by the Post Office echoes Pennwalt's June 18 letter to FDA BuDrugs Director Crout, which suggested that OTC caffeine-containing look-alikes to controlled substances should be considered counterfeit ("The Pink Sheet" June 29, T&G-5). Pennwalt's letter proposed that "only the counterfeits, who sell in bottles of 1,000 and solicit orders by capsule color and shape rather than ingredient content, would be covered" as counterfeit under the FD&C Act. Pennwalt noted that many of the "look-alikes" resemble the company's amphetamine and phentermine products.

- 0 -

**T&G** LEDERLE CONSENT DECREES AGAINST R<sub>x</sub> VITAMIN LOOK-ALIKE mfr. Par Pharmaceutical and repacker Generix Drug Corp. prohibits the two firms from marketing prenatal vitamins with the same size, color, and shape or trademark similarities to Lederle's *Materna 1+60* product. New Jersey Federal Court Judges H. Lee Sarokin and H. Curtis Mearns, acting on a trademark infringement and unfair competition complaint filed by Lederle, enjoined Par and Generix from "using any name or trademark, or doing any acts of things likely to induce the belief... that [the] prenatal vitamin and mineral products are in any way connected" with Lederle's product.

The consent decrees stipulates that future marketing by Par or Generix of prenatal vitamins under their own labels is conditioned on submission to Lederle of promotional and advertising material. Lederle will have 15 days in which to "register any reasonable objection" to the marketing plans of Par or Generix.

§ The generic houses are also enjoined from describing or referring to their products as "identical or equivalent to *Materna 1+60*" except in applications "to any federal or state agency for the right to include the [me-too versions] in a generic formulary." The defendants also agreed to explain the injunction within 30 days to customers that purchased the look-alike vitamins. Generix further agreed to pay Lederle parent American Cyanamid \$7,500 within 10 days of the consent order. Lederle waived its right to further litigation.



National  
Clearinghouse  
for  
Poison Control Centers

**BULLETIN**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
FOOD AND DRUG ADMINISTRATION

VOLUME 25, No. 6

Bureau of Drugs  
Division of Poison Control  
5600 Fishers Lane, Room 1345  
Rockville, Maryland 20857  
(301) 443-6260

AUGUST, 1981

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TABULATIONS OF 1979 POISON CONTROL CASE REPORTS

FDA's recent survey of poison control centers indicates that on the order of 1.5 million cases a year are being handled by the poison control center system in the United States. Approximately 150,000 or 10% of them are reported to the Division of Poison Control. These are believed to be a representative sample of all poison control cases though not necessarily of poisoning cases in general.

Poison control cases are incidents of improper exposure to a wide variety of chemical substances such as drugs, household cleaners, plants, pesticides, cosmetics, etc. Most turn out not to be poisonings. When a center is contacted, the presumption exists that the exposure poses a threat to health. However, the toxicity of the material, route, amount, time since exposure and other factors are frequently such that the exposure has little or no adverse impact on health.

It is not known how many cases of exposure and poisoning occur which do not enter the poison control center system, or whether they have the same characteristics as the cases handled by the centers. Reports submitted to FDA detail the cases only at the time of poison control center contact. Follow-up data on their final outcome is not generally included in the reports. Thus, no inferences should be drawn from the data concerning the true incidence of poisoning, signs and symptoms, hospitalization, death or other aspects of the problem which the poison control case reporting system was not designed to

**FPA Action**

**Beware those  
OTC drug bottles  
of 1,000s: FDA**

Drugstores that are offered bottles of 1,000 capsules or tablets of over-the-counter stimulants, sedatives, or analgesic combinations should be wary—especially if the products resemble prescription drugs. Federal agencies and courts are cracking down hard on a growing, and sometimes lethal, trade in seemingly innocent OTCs that are being used on the street as fraudulent imitations of scheduled, abusible drugs.

Offered by manufacturers and distributors for pennies apiece, the look-alike OTC capsules and tablets are marked up by traffickers and sold at truck stops, at schools, and on the street for as much as \$1 each. Sometimes, federal officials say, the traffickers can buy them from drugstores, which dispense them from bottles of 1,000 kept behind the counter.

Food & Drug Administration officials, concerned about reports that the "harmless" OTCs have caused overdose deaths—as users try to get the same effects the prescription drugs give—began a high-level policy review in June aimed at getting the look-alikes off the market.

The FDA has a legal problem, however. As OTCs using widely available, safe and effective nonprescription ingredients such as antihistamines, caffeine, and aspirin, the look-alikes

don't ordinarily require FDA premarket approval. The agency has been forced to rely on postmarketing litigation against suppliers, alleging that the drugs have been misbranded or that they are counterfeit.

Sometimes, though, the dealers are hard to identify. For instance, at the Birmingham, Ala., airport, FDA recently seized 300,000 OTC antihistamine/analgesic tablets that were identical in appearance to Lemmon's Quaaludes; the consignee, however, was not caught—he or she never showed up to claim the tablets.

Legitimate manufacturers of the prescription products on which the OTC look-alikes are modeled are especially worried about the problem. One firm, Pennwalt Corp., recently met with top FDA officials to urge tough agency action against firms that, it said, have been marketing OTCs that resemble its Biphedamine-20 and Ionamin-30 Rx products, among others.

According to an FDA memorandum of that meeting, the Pennwalt representatives reported on legal action the company had taken against Alto Pharmaceuticals in Florida, "whose products included those with Pennwalt markings and NDC numbers." Pennwalt told the agency that it has other lawsuits pending but that the problem has now become too big to be handled by case-by-case private lawsuits.

FDA Bureau of Drugs director J. Richard Crout, M.D., acknowledged to Pennwalt that when the company's first complaint was received last year, the agency felt it was not a high-priority problem, the memorandum says. "However, in light of the growing distribution of these products, their introduction to markets that would not normally be heavily involved in drug abuse, and because their distribution impacts on the credibility of the agency, the priority of this problem has increased," it continues.

"It was also explained to the firm that there is a need to separate the OTC look-alike issue from those of prescription generic look-alikes. . . . we will neither prohibit nor encourage the imitation by generic manufacturers of the color, size, shape, etc., of prescription drugs that have the same ingredients and are copies of the innovator's product."

In addition to the Pennwalt products and Lemmon's Quaalude, OTC counterfeiters are known to be marketing look-alike versions of Beecham's Fastin and Smith Kline & French's Dexedrine and Dexamyl. Other abusible prescription drugs are also being mimicked by OTC products, officials say.

Among the strategies FDA is considering are:

- A rule that would make it unlawful to market look-alikes that do not contain the same active ingredients and produce the same therapeutic effects as the original (this is already informal agency policy for prescription generics);
- High-pressure field inspections of all suspected manufacturers of the OTC look-alikes with a view to bringing misbranding and/or counterfeiting charges against them;
- A policy determination that OTC look-alikes are "new drugs" that, under the law, require FDA preclearance before marketing. •

Figure 1. Frequency of phenylpropranolamine cases

*FREQUENCY OF PPA PRODUCT MENTIONS IN POISON CONTROL CASE REPORTS, 1975-1980*

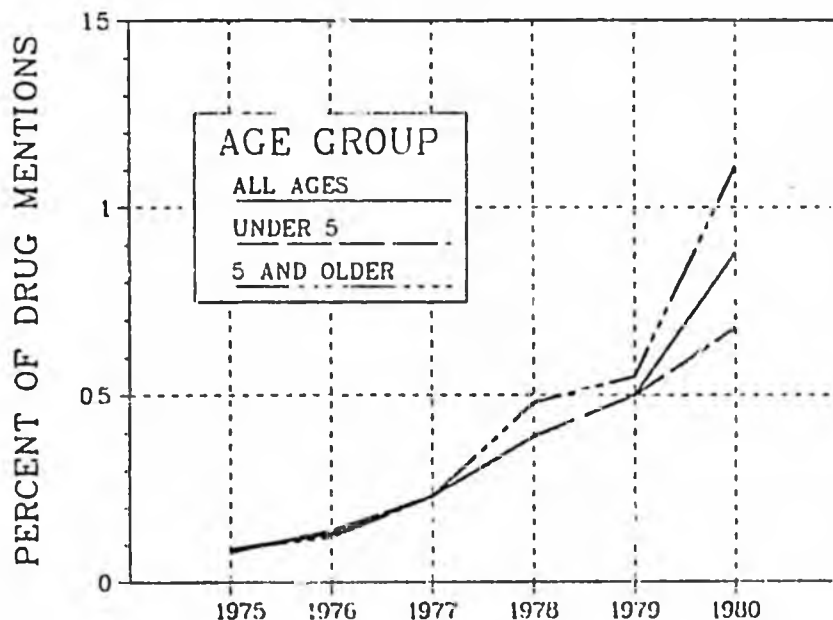
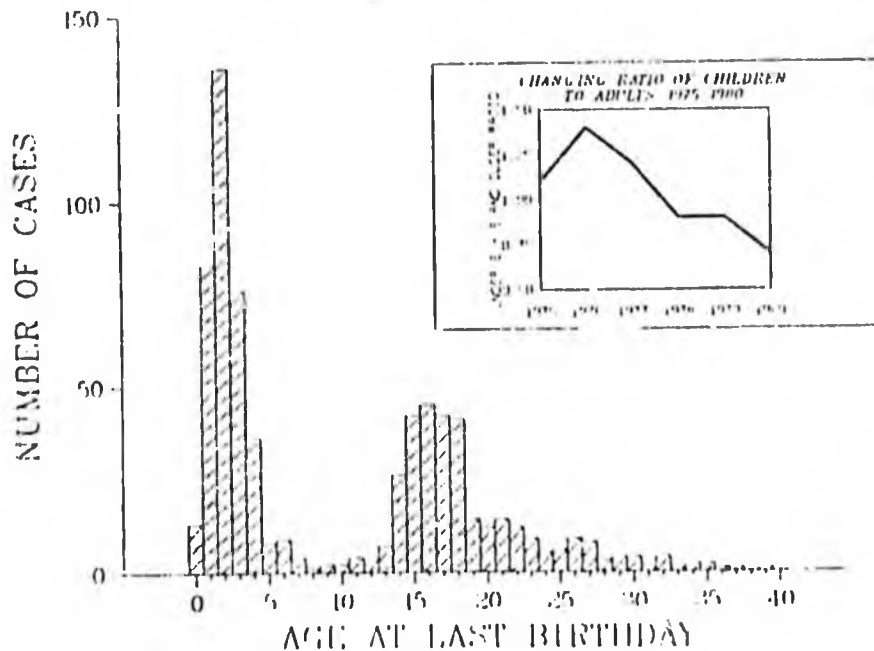


Figure 2. Age distribution of phenylpropranolamine cases

*AGE DISTRIBUTION IN PPA CASES 1978-1980*



(PHENYLPROPANOLAMINE cont)

The age distribution of PPA exposure victims in poison control cases for 1978-1980 is shown in figure 2. The bimodal distribution with peaks at 1-3 years old and 14-18 is similar to that found with other OTC products that are ingested adventitiously by children and also used suicidally by young adults; the latter phenomenon being related more to the availability of OTC's than efficacy. Forty-two percent were children, younger than 5, 49% were 5 and older, and 9% had no age reported. Forty-nine percent of those in the 5 and older group were 14 to 18 year olds, and 74% were female. Suicide gestures and attempts were involved in 49% of the cases in the 5 and older group, and substance abuse in 9%. Suicides in DAWN cases also accounted for 49% of the OTC diet aid mentions. The inset in figure 2 shows that the fraction of PPA cases involving children younger than 5 has been decreasing relative to adults. Ingestions in children may not be rising as fast as those in adults because many of the products employ unit dose packaging which, while it is technically not child resistant, does tend to limit children's access to drugs.

Signs and symptoms or hospital visits were reported in 13% of the 1978-1980 poison control cases for children and 58% of the cases for adults. No deaths were reported by poison control centers; however, reports of fatal cases have appeared in the literature and have been reported by Medical Examiners in the DAWN system. One death recently occurred in New Mexico in an otherwise healthy 20 year old female with a history of "amphetamine" use. High levels of PPA were found in the urine consistent with recent heavy use of an amphetamine look-alike containing PPA. Death was due to an intracerebral hemorrhage with no evidence of a preexisting vascular defect. Two other deaths in young males also occurred recently in New Mexico that were associated with amphetamine look-alikes containing ephedrine.

PPA produces a dose related increase in blood pressure. In a recent study, 12 of 37 healthy young subjects had peak supine diastolic pressures in excess of 100mm Hg 1.5-3 hrs after treatment with 85mg of PPA, some of them requiring antihypertensive treatment. The increase in blood pressure from lower doses was not as extreme. Symptoms reported by the study group included tingling feelings in the head, dizziness, palpitations, headache, tightness of the chest, tremor, nausea, lassitude and tinnitus. Overdoses and continuous use of PPA has been associated with severe hypertension, intracerebral hemorrhage, severe bifrontal headaches with nausea, postural hypotension, "psychotic reactions" and convulsions. Several cases of transient myocardial ischemia in young women associated with PPA, have been reported to the FDA Division of Drug Experience. In most cases, the toxic effects of PPA resolve themselves in 6 to 48 hours following termination of the drug. Because of the risk of intracerebral hemorrhage, however, clinicians treating PPA overdoses may want to consider treatment with an antihypertensive agent such as phentolamine.

(D.A.Brancato, E.I.Cohen, M.I.Fow)

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1 Included are: Anorexin, Appedrine, Ayds Droplets, Biodrene Tablets, Dex-A-Diet, Dexatrim, Dietac (solid and drops), Diet Aid, Full Stop, Gobese, Hungrex, Obestat, Ordinex, Perma Thene 12, Prolamine, Propadrine, Slenderex, Slim-Eze, Slim One, Thinz Reducing Pills, Trim N Slim, Vita Slim, X-Drin, X-11 Tablets.

2 Processing of 1980 data is only 40% complete.

3 Drug Watch, July 1978-June 1980. National Institute on Drug Abuse, Division of Data and Information Development, Forecasting Branch. 5600 Fishers Lane, Rockville MD 20857.

**Ritodrine (Yutopar<sup>®</sup> — Merrell-National)**

Ritodrine is available in an injectable product containing 50 mg/5 ml and as oral tablets of 10 mg each. It is indicated in the management of pre-term labor after at least the 20th week of pregnancy. Because of the complicated nature of the drug's activity and determination of patient suitability, the use of ritodrine should be left to those clinicians experienced with it. For an acute episode, ritodrine is administered by intravenous infusion of, initially, 0.1 mg/minute. This may be increased by 0.05 mg/minute at 10 minute intervals, until adequate response is noted. Approximately 30 minutes prior to termination of IV therapy, one tablet is usually given. This is followed by one tablet every two hours for the first 24 hours, and then 1-2 tablets every 4-6 hours, depending on uterine activity and side effects. Adverse effects reflect ritodrine's betamimetic activity. The most frequently observed effect is alteration of maternal and fetal heart rates and maternal blood pressure. The package literature should be consulted for a description of the many other adverse effects reported. A more complete discussion of the rationale for use and pharmacology of ritodrine can be found in the July-August, 1980 issue of the *Bulletin*.

**"LET THE BUYER BEWARE"**

Over the past year we have witnessed an explosive phenomenon reflecting a new level of sophistication among the promoters of drug misuse or abuse. During this period of time the Drug Information Center has received several calls each week regarding identification of drug products which have been confiscated by police or found by concerned parents. Commonly the caller is trying to identify a black capsule that resembles Biphedamine<sup>®</sup>, or a yellow capsule that looks like Ionomin<sup>®</sup>, both of which are controlled central nervous system stimulants of the amphetamine type. The product is different, however, in that the logo and/or identifying number varies slightly from the trade-named product.


In investigating this situation we have become aware of several distributing houses which are selling these "new legal stimulants" directly to the consumer on a mail order basis. All of the available products resemble controlled stimulant products (see list below), such as those mentioned above, plus Dexamyl Spansules<sup>®</sup>, Dexedrine<sup>®</sup>, etc. Having anonymously contacted one of these distributors, however, we were informed that all the preparations contain the same thing: pseudoephedrine and caffeine. (Allegedly, other distributors utilize phenylpropanolamine as well.) We were also told that, although only available in quantities of 1000, the consumer could break these down into smaller quantities (for further distribution at the local level).

The FDA was contacted to determine the legality of these operations. It was learned that, although the agency recognized the problem, these companies were operating in a perfectly legal manner. When the consumer receives his order it is accompanied by appropriate legally required non-prescription drug labeling, and therefore, meets FDA requirements. Since product logo and/or number designations vary from the copied preparation, no trade-name infringements exist.

Although these operations are operating within the law, the problem is obvious. The unsuspecting "street consumer" is purchasing what he believes to be an amphetamine for \$0.50-\$1.00 per capsule and which actually contains no more stimulant activity than a cup of coffee. We believe, therefore, that preventive education is necessary to warn the unsophisticated user that they are being ripped-off.

This information, therefore, may be provided to local media at the reader's discretion. For your convenience, a description of some of the available preparations follows.

1. Black Capsule with the No. 335
2. Black Capsule with the letters DEX
3. Small Black Capsule with the No. 18-789
4. Small Black Capsule with the No. 18-985
5. Black Capsule with the No. 127
6. Small Black Capsule with the letters AKS
7. Small Black Capsule with the letters RUS
8. Small Black Capsule with the letters RJS
9. Yellow Capsule with the letters RJB
10. Small Yellow Capsule with the No. 18-906
11. Small Yellow Capsule with the letters RUS
12. Small Yellow Capsule with the letters RJS
13. Small Pink Capsule with the No. 97209-63
14. Round Orange Tablet with the letters BT-72
15. White Mini-Tablet with two Line Cross on the Top
16. White Large Tablet with two Line Cross on the Top
17. Green and Clear Capsule with Green and White Beads and the No. 127
18. Blue and Clear Capsule with Blue and White Beads and the No. 127
19. White and Clear Capsule with Orange, Green, White, Yellow Beads and the No. 127
20. Small Brown and Clear Capsule with White and Orange Beads and the No. 127
21. Rectangle White Tablet with Green Specks in It and One Line in the Middle
22. Rectangle White Tablet with Blue Specks in It and One Line in the Middle
23. Rectangle All Blue Tablet with One Line in the Middle
24. Oval Pink Tablet (Football)
25. Yellow Cube
26. Cube with Red and White Specks



*Fed's* Drug Enforcement Administration

*Model Bill*

JAN 13 1982

Washington, D.C. 20537

DEC 13 1981

Dear Requester:

Pursuant to your recent request, attached are materials related to the Model Imitation Controlled Substances Act drafted by DEA. The Act was drafted at the request of numerous State authorities and concerned parents' groups, and is an effort to establish a standard for State legislation on look-alike drugs. Hopefully, by establishing such a standard, we can replicate the successes achieved in the enactment and judicial approval of the Model Drug Paraphernalia Act, and similarly establish case authority which supports anti look-alike legislation in the States.

As was the case with drug paraphernalia, we believe the primary concern of Federal and State authorities should be to put the manufacturers, distributors and retailers of the look-alike drugs out of business quickly by meaningful legislation and the seizure and forfeiture of their stocks of drugs if necessary.

At the Federal level, DEA is also seeking to have three major manufacturers of capsules restrict their sales to look-alike manufacturers; FDA has made significant seizures of drugs and equipment from nine look-alike manufacturers; and the Post Office Department has instituted action against more than 40 distributors of look-alike drugs to restrict their use of the mails.

However, since Federal authorities can only have minimal impact at the retail level, it is believed that State authorities can utilize the Model Act and particularly its seizure authority along with local licensing and zoning restrictions to effectively eliminate the retail sales of look-alike drugs.

Sincerely,



William M. Lenck  
Chief Counsel

Enclosures

# MODEL IMITATION CONTROLLED SUBSTANCES ACT

## Prefatory Note

The wholesale vending of look-alike drugs has become a major, nationwide drug abuse problem. Look-alikes are tablets and capsules which are manufactured and imprinted to closely resemble or even duplicate the appearance of well-known, brand name controlled substances, but which contain only non-controlled over-the-counter drugs such as caffeine, ephedrine, phenylpropanolamine, acetaminophen, or some combination of these substances. Look-alikes are advertised as being body stimulants, alternative energy sources, or nighttime analgesics - the "safe," legal way to get high.

The number of look-alike wholesalers and distributors has grown from just a handful at the end of 1979 to more than 110 in June of 1981. The primary targets of this multi-million-dollar industry are college, high school, and even junior high school students. These youthful customers are being bombarded by advertising which extols these products as being "the most powerful stimulants available without a prescription." Most of the ads offer jars of 1,000 dosage units and suggest that purchasers can make high profits from resales. In the past several months, there has been a plethora of advertisements in the underground drug press, in music magazines, and even in the legitimate press as well as a flood of flyers and business cards on college campuses and in schoolyards across the country. Some wholesalers have expended tens of thousands of dollars on advertising, money they consider to be well-spent.

The recent proliferation of look-alikes has caused deep consternation among law enforcement authorities across the nation. Time, effort, and taxpayers' money have been expended and arrests have been made only to discover that the so-called drugs were actually noncontrolled substances. In some cities, so many cases have been dismissed that police departments are no longer buying pills or making dangerous drugs cases at all. Parents and community leaders have written to express their feelings of outrage and indignation at the way in which these substances are freely advertised and sold.

Look-alikes are touted as being completely safe and legal and consumers are advised to take several in order to get the full effect. Of course, the danger to a child who has been ingesting five or six caffeine pills and attempts the same thing with real amphetamines one day is obvious. More

insidious is the growing climate of acceptance of these substances among students as their sale and use become widespread. Of immediate concern, however, are recent reports of hospital emergencies and even overdose deaths caused solely by ingestion of look-alikes.

The DEA, for the reasons cited above, considers the manufacture, distribution and use of look-alikes to have a substantial and detrimental effect on the general welfare of American society, particularly on our youth. It is a problem which must be dealt with at all levels of Government. Efforts against the look-alike problem, however, must take into consideration the facts that the look-alike ingredients have a legitimate medical use, they are found in many of the more common over-the-counter products and when used as directed, they are generally not harmful. DEA has no jurisdiction over look-alike products under the Controlled Substances Act since only noncontrolled substances are involved. However, DEA does have a responsibility to combat drug abuse and considers the look-alike problem one facet of drug abuse. The distribution and sale of look-alikes, much as drug paraphernalia, encourages and contributes to the profiteering from drug abuse. Thus DEA has undertaken an initiative, similar to that used in the paraphernalia problem, against look-alikes. At the heart of this initiative is the Model Imitation Controlled Substances Act which is targeted to eliminate these undesirable enterprises through the application of regulations and civil and criminal penalties. A number of states have already enacted look-alike legislation. DEA applauds this action and encourages other states to do the same. The DEA Model Act will serve as a guide for states that wish to take legislative action against look-alike manufacturers and distributors.

MODEL IMITATION CONTROLLED SUBSTANCES ACT

Drafted by the  
Drug Enforcement Administration  
of the  
United States Department of Justice

October, 1981

With  
Prefatory Note and Comment

Section 1. Definitions

- a. The term "controlled substance" means a substance as defined in (insert appropriate citation for definition of "controlled substance" in State Controlled Substances Act).
- b. The term "distribute" means the actual, constructive, or attempted transfer, delivery, or dispensing to another of an imitation controlled substance.
- c. The term "manufacture" means the production, preparation, compounding, processing, encapsulating, packaging, or repackaging, labeling or relabeling, of an imitation controlled substance.
- d. The term "imitation controlled substance" means a substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance.  
In those rare cases when the appearance of the dosage unit is not reasonably sufficient to establish that the substance is an "imitation controlled substance" (for example in the case of powder or liquid), the court or authority concerned should consider, in addition to all other logically relevant factors, the following factors as related to "representations made" in determining whether the substance is an "imitation controlled substance":

- (1) Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect.
- (2) Statements made to the recipient that the substance may be resold for inordinate profit.
- (3) Whether the substance is packaged in a manner normally used for illicit controlled substances.
- (4) Evasive tactics or actions utilized by the owner or person in control of the substance to avoid detection by law enforcement authorities.
- (5) Prior convictions, if any, of an owner, or anyone in control of the object, under state or Federal law related to controlled substances or fraud.
- (6) The proximity of the substances to controlled substances.

Section 2. Offenses

a. Manufacture or distribution - It is unlawful for any person to manufacture, distribute, or possess with intent to distribute, an imitation controlled substance. Any person who violates this section shall be guilty of a crime and upon conviction may be imprisoned for not more than \_\_\_\_\_, fined not more than \_\_\_\_\_, or both.

- b. Distribution to a minor - Any person 18 years of age or over who violates Section 2a by distributing an imitation controlled substance to a person under 18 years of age is guilty of an aggravated crime and upon conviction may be imprisoned for not more than \_\_\_\_\_, fined not more than \_\_\_\_\_, or both.
- c. Possession - It is unlawful for any person to use, or to possess with intent to use, an imitation controlled substance. Any person who violates this section is guilty of a crime and upon conviction may be imprisoned for not more than \_\_\_\_\_, fined not more than \_\_\_\_\_, or both.
- d. Advertisement - It is unlawful for any person to place any newspaper, magazine, handbill or other publication, or to post or distribute in any public place, any advertisement or solicitation with reasonable knowledge that the purpose of the advertisement or solicitation is to promote the distribution of imitation controlled substances. Any person who violates this section is guilty of a crime and upon conviction may be imprisoned for not more than \_\_\_\_\_, fined not more than \_\_\_\_\_, or both.

- e. Immunity - No civil or criminal liability shall be imposed by virtue of this Act on any person registered under the Controlled Substances Act who manufactures, distributes, or possesses an imitation controlled substance for use as a placebo by a registered practitioner in the course of professional practice or research.

Section 3. Forfeiture

(Insert designation of state civil forfeiture section) is amended to provide for the civil forfeiture of imitation controlled substances by adding the following after paragraph (insert designation of last category of forfeitable property):

"( ) all imitation controlled substances as defined by (list appropriate citation for this Act in the state's statutes).

Section 4. Severability

If any provision of this Act or the application of the Act to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the Act which can be given effect without the invalid provision or application and to this end the provisions of this Act are severable.

## COMMENT

The Model Imitation Controlled Substances Act incorporates by reference certain definitions in the applicable State Controlled Substances Act, but does not attempt to incorporate or amend the definition of "counterfeit substance" in the State Controlled Substances Act. DEA believes it would unnecessarily confuse the issues to attempt to amend the definition of "counterfeit substance" in the State Controlled Substances Act. Therefore, the Model Act uses a new term of "imitation controlled substance" as the key to the Model Act.

DEA believes that many of the existing and draft State Acts which have sought to reach the look-alike problem have placed too much emphasis on the representations made by the seller of the substances. Hence, the DEA Model Act seeks to place emphasis on the "look-alike" nature of most of the substances involved to sustain the burden of proving a violation. The portion of the DEA Model Act which deals with "representations made" by the seller is not really intended to reach look-alikes in tablet or capsule form, but rather, is intended to reach those cases where powder or liquid is represented to be controlled substances. Most cases related to powder will involve alleged cocaine or heroin and most cases related to liquid will involve alleged PCP or other hallucinogenic drugs.

The sections of the Model Act which deal with penalties, advertisement, forfeiture, and severability are framed from the pattern used in the Model Drug Paraphernalia Act, drafted by DEA in August 1979. As of October 1981, the Model Paraphernalia Act has been enacted by 23 states and many localities, and has been upheld at the state level by every Federal District Court and Appeals Court that has considered it. As in the Model Paraphernalia Act, the Model Imitation Controlled Substances Act leaves to each state the specific penalty to be inserted as a sanction for each of the criminal offenses proscribed by the Act.

## AMPHETAMINE LOOK-ALIKES

The following is a listing of the physical description of drug products being promoted as "legal highs" which resemble amphetamine and other Rx stimulant drugs. All have been found to contain phenylpropanolamine, ephedrine and caffeine, alone or in combination.

### Black capsules

#### Imprints

127	8658
335	8858
18-789	18-585
DEX	18-985
RJS	

### Yellow capsules

#### Imprints

RJB	RVJ
-----	-----

### Miscellaneous Capsules

<u>Color</u>	<u>Imprint</u>	<u>Contents</u>
Blue/clear	127	Blue and white beads
White/clear	127	Green/orange/white beads
Black/clear	127	Orange/white beads
Green/clear	127	Green/white beads
Orange/clear	None	Red/white beads
Yellow/clear	None	Red/white beads
Pink/white	None	
Black/clear	17-875	Yellow/orange beads
Green/clear	None	Gray/white beads
Red/yellow tint/clear	None	Orange/green beads
Brown/yellow	None	

### Tablets

<u>Color</u>	<u>Imprint</u>	<u>Other</u>
White	None	Double-scored
Peach	BT 72-200	
Green	165	Triangle-shaped
Pink	None	Heart-shaped single-scored

Source:  
"Poison Information"  
Vol. 5(3) April-May 1981  
Nancy Newburn  
University of California  
School of Pharmacy

"Look-Alike Preparations Encountered by Wisconsin Department of Justice,  
Crime Laboratory Bureau"

(Note: First entries in each category correspond to legitimate products being copied)

Description	Markings	Contents	Sch.
Black capsule	"18-875"	Amphetamine	II
	"F-9031" 975	Caffeine	NO
	"Rx 102" K-200	Caffeine	NO
	"0147" 888	Phentermine	IV
	"817"	Ephedrine, Phenylpropanolamine, Caffeine	NO
	"335" 18-658	Ephedrine, Caffeine, Acetaminophen	NO
	"127"	Pseudoephedrine, Caffeine	NO
	"AHS"	Mephentermine, Caffeine	NO
	"RJS" 18-850	Ephedrine, Phenylpropanolamine, Caffeine	NO
	"DEX"	Pseudoephedrine, Caffeine	NO
	Unmarked 18-789	Ephedrine, Caffeine	NO
	Unmarked 355	Caffeine	NO
Unmarked 18-858	Phenylpropanolamine, Caffeine	NO	
18-876	Caffeine	NO	
Green and clear capsule with green and white granules	"SKF D92"	Amphetamine/Amobarbital	II
	"127" 092	Pseudoephedrine, Caffeine	NO
	"815"	Ephedrine, Phenylpropanolamine, Caffeine	NO
	"975"	Caffeine	NO
	Unmarked 697	Caffeine	NO
	Unmarked 518	Ephedrine, Caffeine	NO
172	Phendimetrazine	III	
Brown and clear capsule with orange and white granules	"SKF E14"	Amphetamine	II
	"RX101"	Caffeine	NO
	"BTP L19"	Ephedrine	NO
	"127"	Pseudoephedrine, Caffeine	NO
	"AHS"	Caffeine	NO
	Unmarked	Caffeine	NO
	Unmarked	Ephedrine, Caffeine	NO
0147	Phentermine	IV	

Description	Markings	Contents	Sch.
Blue and clear capsule with blue and white granules	"BMP" 147"	Phentermine	IV
	"SKF H76"	Phenobarbital	IV
	"BTP L17"	Ephedrine, Caffeine	NO
	"127"	Pseudoephedrine, Caffeine	NO
	697	Phentermine	IV
	"813"	Ephedrine, Phenylpropanolamine, Caffeine	NO
	"975"	Pseudoephedrine, Caffeine	NO
White and clear capsule with green, orange & white granules	Unmarked	Ephedrine, Phenylpropanolamine, Caffeine	NO
	"SKF J66"	Amphetamine, Prochlorperazine	II
	"127"	Pseudoephedrine, Caffeine	NO
Yellow capsule	975	Caffeine, Ephedrine	NO
	"18-904"	Phentermine	IV
	"0147"	Phentermine	IV
	"172"	Phentermine	IV
	" R " HS 364	Phentermine	IV
	"860"	Phentermine	IV
	"13-807" 16-907	Caffeine	NO
	RVJ	Caffeine, Ephedrine	NO
	"819"	Ephedrine, Phenylpropanolamine, Caffeine	NO
	"RJ8"	Pseudoephedrine, Caffeine	NO
Clear Capsule w/white powder	18-906	Caffeine, PPA, Ephedrine	NO
	Unmarked	"Haysma"	NO
White oblong tablet, half-scored, with green speckles	Unmarked	Ephedrine	NO
	"71" or "Lemmon"	Phendimetrazine	III
	Unmarked	Caffeine	NO
	Unmarked	Ephedrine, Phenylpropanolamine, Caffeine	NO
	Unmarked	Ephedrine, Caffeine	NO

Description	Markings	Contents	Sch.
Salmon tablet	"BI 62"	Phenmetrazine	II
	"BT 72"	Pseudoephedrine, Caffeine	NO
	Unmarked	Phenylpropanolamine, Caffeine	NO
Green triangular half-scored tablet	"SKF D93"	Amphetamine, Amobarbital	II
	"165"	Caffeine	NO
Orange trian- gular, half- scored tablet	"SKF A92"	Amphetamine	II
	Unmarked	Caffeine	NO
	Unmarked	Ephedrine, Caffeine	NO
White, medium round, half- scored tablet	"W/C 230"	"Tedral"	NO
	Unmarked	Ephedrine, Theophylline, Phenobarbital	NO



The real thing, left, compared with imitations that have an equally deadly potential

## "Look-Alikes": a New Drug Danger

*Fake amphetamines are not only lethal but legal—for now*

The 17-year-old girl in Belvidere, Ill., seemed to be just one more victim of an overdose of illegally obtained amphetamines. Police, finding the type of pills that allegedly killed her, thought they looked just like "black beauties," one of several forms in which amphetamines are sold. Analysis showed, however, that they were not amphetamines at all but a combination of substances commonly found in the cold remedies, diet and keep-awake pills sold over the counter in drugstores. The dead girl was a victim of the nation's latest drug danger: the "look-alike" pill.

Though they are made to mimic the appearance of the more expensive amphetamines, look-alike drugs contain no federally controlled substances (*i.e.*, with a high potential of dangerous abuse). Their primary ingredients are caffeine, a stimulant; ephedrine, a vascular constrictor; and phenylpropanolamine (PPA), a chemical cousin of amphetamines. The danger lies not in the kinds of chemicals they contain but in the amount. Whereas the average diet-aid capsule may contain about 50 mg of PPA and between 100 mg and 200 mg of caffeine, a look-alike capsule can carry 50 mg of PPA and 200 mg to 500 mg of caffeine, which in heavy doses can cause heart or respiratory failure. Says Dr. John Spikes, an Illinois toxicologist: "People hear caffeine, and they think of a cup of coffee. You get between 50 mg and 100 mg in a cup of coffee. The people we're seeing using these drugs are taking ten to 20 pills at once." In other words, they can ingest the caffeine of dozens of cups of coffee in one gulp. In the past two years, look-alikes have been implicated in the deaths of at least 14 people in New York, Maryland, Michigan, New Mexico, California and Illinois.

For the small manufacturers and dealers who purvey look-alikes, the product

yields a lot of money with little legal risk. Says Lieut. Robert Long of the Massachusetts state police narcotics unit: "A dealer can buy about 1,000 look-alike pills for \$45 per jar, or approximately 4¢ each. Then he goes out to some eighth-grader and sells those same pills for \$2 apiece. Right off the bat he's making a profit of more than \$2,000."

Ads for mail-order look-alikes ("safe, effective and legal") have appeared in publications like *Cosmopolitan* and Chicago's *Reader* and in leaflets passed out at rock concerts and in schoolyards. Ironically, the only instance in which it is not legal to make or sell them is when a manufacturer or dealer claims they are real amphetamines. In that case he can be prosecuted for fraud. But sellers carefully label look-alikes as "stimulants" and often include warnings about maximum dosage. Says Lieut. Long: "Most of these guys are not going to make the mistake of claiming to have something they don't. They just let the kids think they have it."

Because the drugs are not mislabeled by the manufacturer the Food and Drug Administration, which is responsible for the safety and efficacy of drugs, can do nothing under present laws. Neither can the Drug Enforcement Administration, which applies laws only against illegal use of controlled substances. But the U.S. Postal Service has filed complaints against 39 mail-order companies, charging them with misrepresenting the safety of their products. Delaware was the first of several states to pass special statutes against look-alikes, known as "turkey" laws, so named because "turkey" is the street term for phony drugs. Probably no serious headway will be made, however, until the Federal Government finds a way to block the look-alike loophole with a uniform national law. ■

## Testes Test

*A self-exam for cancer*

Each month millions of women check their breasts for suspicious lumps in an effort to detect cancer early. Now doctors are urging men to perform a monthly self-examination of their own, this one aimed at cancer of the testicle.

The disease, though rare, is occurring with greater frequency. In the past 40 years, the incidence of reported cases has almost doubled in the U.S. Today it affects about four of every 100,000 men annually; an estimated 4,000 new cases are diagnosed each year. Once found primarily in older men, it now is the most common form of cancer in men between the ages of 20 and 34, causing 9% of all male cancer deaths in that age group.

No one knows why testicular cancer is increasing—or indeed why it strikes. It appears most frequently among white middle- and upper-class men. Two groups run 40 times the normal risk of developing the disease: men with a testicle that failed to descend from the abdominal cavity into the scrotum, a lapse that normally occurs during development of the fetus; and men with a testicle that descended only after they were six years old. Preliminary studies suggest that undescended testicles may be more frequent in boys born to women who received the hormone diethylstilbestrol, or DES, during pregnancy. The hormone was widely prescribed in the 1940s and 1950s to help prevent miscarriage.

Researchers at the University of California at San Francisco are beginning a three-year study of 250 patients with the disease to explore the connection with DES as well as other possible influences, including race, social class, on-the-job exposure to chemicals, even the type of underwear favored. One theory holds that men who wear tight shorts run a greater risk of developing the disease.

Although testicular cancer used to be regularly fatal, it is now often curable. Treatment may involve surgery, radiation and/or a combination of drugs, most notably cisplatin, which was first used experimentally only a decade ago. Even in severe cases, more than half the patients are cured. When the disease is detected early, the cure rate is nearly 100%.

Regular self-examination, say physicians, is the best way to find the disease early. The exam should be performed after a warm bath or shower, when the scrotal skin is most relaxed. The telltale sign is a lump the size of a pea. Doctors caution that a lump does not necessarily mean cancer, but it should be reported promptly to a physician and checked. ■

DATE: THURSDAY; DECEMBER 10, 1981

## Flood of 'look-alike' drugs appears to have receded in Maryland

By Ann Cooper

A flood of "look-alike" drugs that health and law enforcement officials said washed into Maryland early this year appears to have receded, thanks in part to a number of legal actions in the state and elsewhere.

Look-alikes are capsules or tablets, containing caffeine and other nonprescription drugs, that are made to resemble addictive, commonly abused prescription drugs such as amphetamines. Health and law enforcement officials, alarmed when the drugs became popular on school campuses and in street drug traffic about a year ago, said look-alikes hampered drug law enforcement, encouraged drug-taking generally and posed some potential health hazards. The federal Food and Drug Administration blames look-alikes for at least 12 deaths nationwide, including two in Maryland.

A new state law that took effect in June apparently prompted most of the dozen or so companies selling look-

### Of continuing interest

alikes in Maryland to close their doors, according to state health officials. In addition, actions by federal officials have shut down some look-alike manufacturers and distributors in other states.

One Maryland company, Phun Pharmaceuticals of Gullthersburg, is the subject of a U.S. Postal Service complaint charging the firm with making false representations that its products are safe and legal. That complaint is pending before a Postal Service administrative law judge. Another company is under investigation by a grand jury in Baltimore city, which is weighing whether the company's operations violated the new state law.

The spate of legal actions does not mean there are no more look-alikes in Maryland, but some law enforcement and health officials said traffic in look-alikes appears to have slowed down.

"I'm sure they are still available," said Bob Kramer, coordinator of Anne Arundel county's drug and alcohol program, noting that look-alikes can still be sold by mail order from companies in other states.

Since the state law took effect, Baltimore city police have charged three individuals with selling look-alike drugs on the street, according to Lt. Joseph Newihan of the city police narcotic unit. But officers who work on street drug cases are not running across look-alike nearly as frequently as they did a few months ago, said Lieutenant Newman. "We really haven't been a whole lot of them in the last couple of months. Maybe the tide has kind of died down," he said.

The contents of look-alikes are seemingly innocuous drugs, usually a combination of caffeine, ephedrine and phenylpropanolamine. These drugs are common ingredients in diet pills and cold remedies sold without prescription.

But it is the exterior of the look-alikes that has made them controversial. Their color, size, shape and markings imitate those of "uppers" and "downers" such as prescription amphetamines and barbiturates popular in illegal drug traffic. Look-alikes often are sold under the street names for illegal drugs, such as "black beetles" and "yellow jackets."

Health officials say that students and other unsophisticated customers pay several dollars apiece for look-alikes, believing they are illegal uppers and downers. To get the same effect as the more potent prescription

drugs, they may gobble look-alikes by the handful, causing an overdose. Or, accustomed to taking larger quantities of look-alikes, they may take too many of the prescription drugs they imitate.

According to FDA, most deaths involving look-alikes appear to have been caused by caffeine overdoses in people who took them in large quantities. But two young men in New Mexico died of strokes after taking only a couple of look-alikes, said an FDA spokesman. In those cases, phenylpropanolamine—which some medical experts say can cause extreme high blood pressure in certain people—is suspected of causing the strokes.

News of those deaths and other potential problems created pressure on state and federal officials to act against look-alikes this year. Maryland was among the first states to pass a law, making it illegal to sell a non-prescription drug if "one reasonably should know that the noncontrolled substance will be used or distributed for use as a controlled dangerous substance."

Prior to passage of the Maryland law, there were 12 or 13 companies selling look-alikes in the state, according to Charles Tregoe, chief of the state health department's division of drug control.

Drugs sold by one of those companies, J&P Distributors, Inc., on Eastern Avenue in Baltimore, were seized by a city police raid after the new law took effect this summer. A grand jury investigation of the firm is still pending, but J&P is no longer operating in the state, according to John Previas, chief of criminal investigations for the city state's attorney's office.

Other distributors closed down their Maryland operations about the time the state law took effect, according to Mr. Tregoe. He said the only distributor he is aware of

in the state right now is Phun Pharmaceuticals. Mr. Tregoe declined to comment on Phun's continued operation in the state.

In June, the Postal Service filed a complaint against Phun, asking an administrative law judge to stop the

firm's mail because of alleged misrepresentations in its advertising. The Postal Service complaint alleges that Phun has falsely advertised its products as safe, according to Sandra McFeeley, a Postal Service lawyer. The complaint also alleges that Phun's drugs are counterfeits, which are illegal under federal drug laws, she said.

Phun's case is pending before an administrative law judge in Washington. An attorney for the firm said he could not comment on the case without clearance from Phun officials.

Ms. McFeeley said the Postal Service has filed a total of 39 complaints against companies selling look-alike drugs, including one in Bel Air—RSL Pharmacal, Inc.—that went out of business when Maryland's law took effect. About 30 of the 39 companies have either signed agreements promising to stop filling mail orders for look-alikes or have been ordered to stop by Postal Service judges, said Ms. McFeeley. The other complaints are still pending.

Despite the Postal Service's actions, there are still numerous distributors selling look-alikes in many states, according to a federal Drug Enforcement Administration official. He said he has compiled a list of more than 150 such companies since look-alikes first began to appear about two years ago.

FDA also has acted against look-alikes, concentrating its efforts on companies that manufacture them and sell them wholesale to the distributors. On September 30, FDA seized 15 million look-alike capsules and tablets and an additional 20 million empty capsules—marked to resemble controlled substances—according to agency spokesman Christopher Smith. In two cases, FDA's seizures have been upheld in court and the companies have been ordered to stop making look-alikes. Cases against the other manufacturers are still pending, said Mr. Smith.

Mr. Smith said FDA was under considerable pressure from Congress and the public to act against look-alikes. The agency felt attacking them from a health standpoint would be legally complicated, so it made its seizures on the basis that look-alike drugs are counterfeits. Under federal law, it is illegal to make counterfeit drugs—ones that copy the trademarks or other markings clearly identified with another drug product in an attempt to falsely represent the counterfeit as the imitated product. Mr. Smith said some of the drugs seized by the agency in September "were exact duplicates and others were very, very close."

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# Money is the opiate in look-alike drugs

JUN 15 1981

MIL JOUR

By Neil D. Rosenberg  
Journal Medical Reporter

Janesville, Wis. — A military unit used this macabre slogan during the Vietnam War: "War is our only business. Business is very good."

A paraphrase of that for Larry Ormson, president of Midwestern Pharmaceuticals, could be: "Drugs are our only business. Business is very good."

If one could look at Ormson's recent business ventures and financial achievements with dispassion and objectivity, he would be considered the archetypical capitalist entrepreneur.

The problem is that the drugs Midwestern sells are the so-called look-alike drugs — also called street speed, bootleg speed or counterfeit amphetamines.

They are a center of concern among Wisconsin officials, who are powerless to control them.

The drugs can be hazardous, according to reference books. But since

Other Drug Abuse recently voted to study the extent of the use of the drugs here and their physical effects and to begin an educational campaign against them.

But in a candid interview, Ormson, 27, unabashedly admitted he was in the business for money, did not think the drugs were dangerous and thought any law to ban them would only force them underground and greatly increase their price.

"I don't have any problem sleeping at night, if that is what you mean," he said when asked whether he regarded the substances as dangerous.

Yet he acknowledges they may be abused and are being used as stimulants and for recreational use by some purchasers.

A judgment call, he says

A professed non-drinker, non-smoker, non-drug-user, his bottom-line defense is this:

"I don't believe in taverns, but I believe somebody has the right to support their family operating one. Each person has to decide for themselves what is right and what to do."

It is the same libertarian line that has dogged so many debates about legalization vs. control for prostitution, gambling, marijuana, abortion and on and on.

Midwestern Pharmaceuticals is a four-person firm operating out of a Janesville warehouse. It buys the drugs in pill and capsule form from three manufacturers, Ormson says, then resells them by mail. They are advertised through dozens of magazines and newspapers and sell for up

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*"I don't have any  
problem sleeping at  
night, if that is what  
you mean."*

— Larry Ormson

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they contain only substances that may be sold over the counter without prescriptions, their sale cannot be controlled by present state law.

The State Council on Alcohol and

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## 'Look-Alike' Drugs Sold In State, But It's Legal

SHBGN. PR.

The drugs are called "look-alikes" and they're just as dangerous, but they are legal, according to State Rep. Gervase Hephner, L. Chilton.

"These drugs are harmful and they should not be legal," Hephner argued.

Concerned about the availability of substances that contain large amounts of caffeine, phenylpropanolamine and ephedrine sulfate, the lawmaker called on the State Council on Alcohol and Other Drug Abuse and the Attorney General to take definite, quick action.

"What's more," Hephner pointed out, "they are pushing these drugs through the mail now."

Citing a letter a constituent received in the mail from a Florida drug firm, Hephner stated, "These suppliers have to be stopped." The constituent, a tavern owner, received a letter advertising drugs and asking if he would like to become a distributor.

The letter pointed out that the tavern owner could buy a bottle of Ephedrine Speed for \$100 and sell it at a street value of \$1,000 per bottle. In describing its products, the company listed one drug as "the strongest" saying "it will raise the hair on your arms."

In addition, the company also said, "If you should need a certain stimulant that we don't carry in inventory, we will do our best to get it."

This is not the only instance of such selling tactics. Cars parked around the University of Wisconsin in Madison were leafleted with advertisements about street speed about the time students were taking finals, the lawmaker said. This was done by one of the three Wisconsin drug companies that use practices similar to the Florida firm to sell their dangerous products.

"The biggest problem is that these drugs are finding their way into our high schools and maybe even grade schools," Hephner said.

They appear to have very strong side effects, he stated. For example, in New Mexico and Illinois, special medical investigators have discovered approximately eight deaths related to these harmful substances.

"These were young people that died from strokes," Hephner said.

Since these are not controlled substances, many agencies feel powerless to act, he pointed out.

"This is nonsense," Hephner said. "If there is a fine line opening the way for these corrupt suppliers, let's sew it up. There is just too much at stake."

JUN 19 1981

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# Fake 'Speed' Causes Almost as Much Fear As the Real Thing

Look-Alikes, Mainly Caffeine,  
Used by Many Youngsters;  
Some Deaths Are Reported

By STEVE P. MASSEY

Staff Reporter of THE WALL STREET JOURNAL  
CLEVELAND—

"Pink footballs," "black beauties" and "yellow jackets" were confiscated here during the recent arrest of a street dealer who sells drugs to kids. But the dealer had to be released.

It turned out that the capsules were misnamed. They weren't what many of the dealer's customers thought they were: forms of "speed," the drug-world term for potent amphetamines that make a user's heart race and his nervous system tingle. Doctors prescribe amphetamines mainly for losing weight. Without a prescription, it is illegal to sell them.

But the capsules that the dealer was nabbed with are perfectly legal to sell in most places. Though disguised as pink footballs and the like, they are no stronger than three cups of coffee. In fact, caffeine is the main ingredient in most of them. Yet they, too, can be dangerous.

These stimulants are called "look-alikes" by narcotics agents. Once found almost exclusively in truck drivers' pockets, they have been cropping up all around the country. College and high-school students are getting them for pick-me-ups. So are junior-high pupils and even younger children. The trend worries many adults.

## Reports of Overdoses

The fake speed is causing almost as much alarm as genuine speed. Laurence S. Golden, a staff assistant with the intelligence office of the federal Drug Enforcement Administration, says his office receives daily reports of overdoses—and occasionally of deaths.

The dangers of look-alikes, however, are certainly less than the dangers of speed. "The real problem is that the young people are getting in on the drug scene and taking these things," says James Tudor of the Ohio State Board of Pharmacy. "It's a very natural step up into the real thing."

On the other hand, the buyer of a look-alike may already be a speed user who thinks he is getting speed again this time. "So he almost certainly won't get the buzz he expected to get, so he may take more and more of the look-alike. That could lead to an overdose. Or it could lead him to think that he needs more speed than he used to. Then the next time he gets real speed, he may overdose on that.

A look-alike pill typically is two-thirds caffeine. The remaining one-third usually is composed of two anti-allergic agents: ephedrine sulfate and phenylpropanolamine. These constrict blood vessels, and if taken in excessive quantities can collapse them.

## More Work for Police

When a drug is sold as speed, the authorities have to assume that it is speed. "Once this stuff gets on the street, it's dope," says Mr. Golden. "It's dealt with the same way." So the upsurge in look-alike traffic means more work for the police. It also means more work for drug companies fighting misuse of their products. It is bad enough when your product finds its way into the street-drug trade. It is even more infuriating when it's something disguised as your product.

Despite efforts by local, state and federal officials, the look-alikes keep coming. One federal official estimates that as many as 100 million may be sold this year. That compares with 70 million of the actual amphetamines. The number of wholesalers pushing the bogus speed, Mr. Golden says, has jumped from a dozen a few years ago to about 120 now.

"It is like dealing with a greased pig," says Richard J. McMahon of the attorney general's office in Delaware. In June 1980, that state became the first to pass an anti-trad law aimed at halting the flow of look-alikes. So far, only two cases have reached the courts; the state won one of them, "and even then the penalty was probation," Mr. McMahon says. More recently, nine other states have passed such laws: Arkansas, Colorado, Connecticut, Indiana, Kansas, Louisiana, Maryland, Oklahoma and South Dakota.

It may seem strange to charge someone with fraud for selling something legal instead of illegally selling something that is more dangerous anyway. But the federal drug authorities seem powerless to halt the look-alike traffic, so the states, with federal encouragement, are doing whatever they can.

There is no federal law protecting people who think they are buying speed but get look-alikes instead, and the ingredients in the look-alikes aren't controlled substances.

Please Turn to Page 14, Column 2

Continued From First Page

under federal regulations. So federal officials are forced to pass the buck.

Not the postal service, though. Ned Fricke of the U.S. Postal Inspector's Office says the agency has filed 29 complaints with an administrative-law judge, all charging distributors of the capsules with falsely representing them as safe. (Distributors may be developing a damned-if-i-do, damned-if-i-don't complex. If they say they are selling speed, the anti-brand laws may get them. If they truthfully say they are selling the caffeine pills, and state or imply that they are safe, the post office may get them.)

Mostly, however, federal authorities simply urge states to enact stiffer anti-brand penalties, and they give vocal support to state and local enforcement efforts.

#### Death in Michigan

Ohio is considering legislation requiring packages of look-alikes to disclose that the contents aren't speed. Michigan, operating under an existing deceptive-trade law, has shut down one look-alike wholesaler and banned three others from selling the pills in the state. According to the Michigan attorney general's office, two young women in Flint, Mich., died last year from overdoses of 50 or more look-alikes each. The deaths may have been suicides.

Douglas Vivian, a pharmacist for the poison-control center and drug-information service at Hurley Medical Center in Flint, says a dose of 10 grams can be fatal. The average look-alike, experts say, contains 200 milligrams, so a 10-gram dose would be 50 pills.

But Jerry O'Donnell, the director of the police-department laboratory in Albuquerque, N.M., says there is "no way to tell" what constitutes an overdose because "it varies from person to person." Mr. O'Donnell says that three young men aged 15 to 20 died in Albuquerque during the last year after taking look-alikes. While the victims had been doing some drinking, Mr. O'Donnell says, all had been "in excellent physical condition; they all died of brain hemorrhaging, which is symptomatic of ephedrine (sulfate) and PPA (phenylpropanolamine)."

#### Firms Take Steps

Some established drug companies are trying to dissociate themselves from look-alikes. SmithKline Corp. in Philadelphia discontinued its green-and-clear diet-capsule line, Dexamyl, after it discovered that capsules disguised as Dexamyl were being sold as speed. Pennwalt Corp.'s Philadelphia division has successfully barred four companies from pushing imitations of its popular Biphettamine 29—the real "black beauties."

The founder of the look-alike industry, William Saye, 38, of Fairburn, Ga., applauds the prohibitive measures. "Today, it is being abused," he says. "Kids don't know how to handle business. There are too many bathtub operations in existence now and not enough quality controls."

Mr. Saye started selling caffeine pills wholesale out of his truck cab in Georgia in 1975. The next year, as business expanded, he set up Saye Drug Co. there. In 1977, he moved the company to a Tampa warehouse and changed its name to OTW Distributors Inc. By the end of that year, he had almost 50 employes selling the pills at truck stops in almost every state. The salesmen were called "peashooters," and drivers would contact them over citizens'-band radio. Mr. Saye says that his salesmen, when asked, were supposed to tell a customer that the pills weren't speed—or risk being fired. By 1980, Mr. Saye had retired from the drug trade. Mr. Saye's business was bringing in about \$8 million annually in sales. The pills were obtained from a Long Island manufacturer. Evidently it was all perfectly legal.

Despite "hassles with the police and the press," Mr. Saye says, "I'm proud of what I've done. I ran the business right. Now I just want to lead a normal life, raise some beef cattle, and enjoy my two girls and two boys."

#### Small Operations

Today, most wholesale distributors are small operations, often a husband-and-wife team working out of their home. "About all they have to do is file a one-page registration form," says an official of the Food and Drug Administration. Sales are handled mainly by mail or phone except for a few storefront concerns in Albuquerque and Los Angeles with such names as the Source and the Pick-Me-Ups.

The distributors don't advertise much, though some ads run occasionally in local and college newspapers and a few national magazines. Instead, they leave calling cards in such places as truck-stop restrooms and college dormitories—a practice started by Mr. Saye.

Those who sell the pills rarely make them. Supplies come from larger wholesalers such as Clifton Pharmacal Inc. in Millroy, Pa., which has its own pharmaceutical factory, or from one of an estimated 10 to 12 big manufacturers in Pennsylvania and on Long Island. They are sold in high volumes, in lots of 100 or 1,000, at prices ranging from about two cents to 10 cents a pill. On the street, says Mr. Tudor of the Ohio pharmacy board, they fetch anywhere from 50 cents to \$3 a pill.

Most distributors won't divulge earnings, but estimates are that average sales for a medium-sized company can range between \$500,000 and \$1 million a year. Jerry Hecht, the founder of the Pick-Me-Ups in Albuquerque, says that his six stores average \$1,000 a week each in profits.

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## Caffeine Toxicity Secondary to Street Drug Ingestion

To the Editor:

We have recently observed two serious toxicities secondary to ingestion of a caffeine-containing street drug preparation unfamiliar to most emergency physicians in the Louisville, Kentucky area. Due to the potentially grave consequences of this intoxication, we would like to alert other emergency physicians who may encounter this preparation in cases of unknown substance ingestion.

**Case Number One.** A 22-year-old man presented to the University Hospital ED approximately one hour after ingesting 15 to 20 "RJ-8" capsules to get "high." He stated that one-half hour after ingestion of the product he experienced abdominal cramping immediately followed by vomiting. On presentation, the pulse was 150; respiratory rate, 20/min; and BP, 90/60 mm Hg. The patient was noted to be extremely anxious and complained repeatedly of abdominal pain. Activated charcoal slurry and intravenous fluids were administered. The patient continued to retch for the ensuing 12 hours, but did not convulse. Toxicology screening of serum obtained on presentation was performed by coupled gas chromatography-mass spectroscopy (GC-MS). A large amount of caffeine was detected in the serum. Quantification, carried out by high pressure liquid chromatography (HPLC), revealed 74.6  $\mu\text{g/ml}$  caffeine in the serum. No other drug substances were detected. Subsequent caffeine serum levels obtained over the next 24 hours demonstrated a caffeine elimination rate constant ( $k_e$ ) of 0.136  $\text{hours}^{-1}$ , yielding a caffeine half-life ( $T^{1/2}$ ) of 5.1 hours. The patient was discharged in good condition 36 hours after admission.

**Case Number Two.** Forty-eight hours after the admission of Case Number One, a 21-year-old man presented complaining of abdominal pain and vomiting. He revealed that two hours prior to admission, he had ingested "40 hits of speed" which were in "yellow" capsules. Fifteen minutes after taking the capsules, he began to experience abdominal pain followed by vomiting. He observed a number of the capsules in the initial emesis. On presentation the pulse was 95; respirations, 20/min; and BP, 130/90 mm Hg. He was described as anxious, combative, and hostile. Toxicology screening and subsequent quantification *vide supra* demonstrated a 42  $\mu\text{g/ml}$  caffeine serum level. No other drug substances were detected in the serum or urine. The patient left against medical advice before further serum levels could be obtained.

The drug preparation obtained from Case Number One, as well as an additional capsule obtained by a community physician from an unrelated case, are shown (Fig). Analysis of the contents by GC-MS and HPLC demonstrated approximately 225 mg caffeine per capsule. No other drug substance was contained in the capsule.

Fatalities due to caffeine ingestion have been reported<sup>1,3</sup> and were associated with caffeine plasma levels of 79.0 to 158.5  $\mu\text{g/ml}$ . The amount of caffeine contained in the preparations shown here (225 mg) is greater than that found in most caffeine-containing products (No Doz<sup>®</sup>, Bristol Myers, 100 mg; Vivarin<sup>®</sup>, JB Williams, Co, 200 mg), indicating that ingestion of a small number of these capsules may result in caf-



Fig. Caffeine-containing street drug preparation. Analysis of contents revealed 225 mg caffeine per capsule. No other drug substances were detected. Capsule A, black in color, was obtained from Case Number One. Capsule B, yellow in color, was obtained by a community physician from a patient. Note the capsule markings differ.

fine plasma levels equal to those in reported fatalities. In children, the danger is particularly great due to the small size (1.2 cm x 5 mm OD) of the capsules.

Emergency physicians should consider toxicity secondary to caffeine-containing drug products in the differential diagnosis of patients presenting with a history of ingesting stimulant medications. The rapid recognition of this overdose will prevent inappropriate treatment and allow the physician to avert the potentially serious complications of caffeine overdose.

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## **enacts look-alike drug ban**

Pennsylvania became the 15th state to outlaw look-alike drugs when legislation forbidding the sale and distribution of the drugs was signed into law by Gov. Richard Thornburgh.

The new law, which takes effect in 60 days, bans the manufacture, distribution, processing, packaging, and sale of look-alike pills. Violators face a maximum penalty of five years in prison and a \$10,000 fine.

(Look-alike drugs are pills that are manufactured and packaged to resemble controlled substances, usually amphetamines and tranquilizers. However, they contain such non-prescription drugs as caffeine, ephedrine, phenylpropanolamine, and antihistamines. They have been blamed for heart attacks, strokes, and at least 15 deaths nationally.)

In signing the law, Gov. Thornburgh said Pennsylvania had become known as the look-alike drug center of the nation. Approximately 150 registered manufacturers, distributors, and retailers are located throughout the state, and nearly two-thirds of the look-alike pills in the country are distributed from Pennsylvania.

**THE NEW LAW** was the latest step in cracking down on the look-alike industry, which has come under increasing attack by state and federal governments.

In November, four drug companies located in Lewistown, Pa., signed a consent order that prohibited them from offering look-alike capsules as prescription drugs. Under the agreement, the companies can sell the pills as long as they don't resemble amphetamine drugs. The companies agreed not to use advertising with photographs or descriptions of the drugs.

In return, the U.S. Postal Service said it would not seek an injunction against drug orders mailed by the companies. Officials have said much of the look-alike drug business is conducted by mail.

Efforts to drive the look-alike distributors from Pennsylvania have received the support of the Pennsylvania Medical Society (PMS).

In September, when the legislation was introduced, John J. Dennehy, MD, a member of the PMS Commission on Therapeutics, testified on the adverse medical effects of look-alike pills.

In a letter urging Gov. Thornburgh to sign the bill, PMS President Raymond C. Grandon, MD, said, "It is the view of PMS that the availability of look-alike drugs is an integral part of the drug abuse problem . . . this legislation is needed to bring the drug abuse problem in Pennsylvania under control."

## **Fake-drug controls eyed in Tennessee**

Legislation making it a felony to sell any substance under the guise of a narcotic or illegal drug has been passed by the Tennessee Senate.

The bill, the "Tennessee Imitation Controlled Substances Act," would make the sale of imitation drugs a felony punishable by a \$10,000 fine and one to five years in prison.

The penalty for advertising or promoting imitation controlled substances would be a fine of \$500 and jail terms of up to 11 months and 29 days.

The bill's sponsor, Sen. Tommy Burk (D, Monterey), said the legislation was necessary to end the proliferation of drugs sold on the street that were imitating everything from cocaine to amphetamines.

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## 100% Legal Stimulants

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2. Black Capsule # 18-659 Double Strength
3. Black Capsule # 355 or DEX Double Strength
4. Orange Round Tablet BT 72
5. Black Capsule # 17- Triple Strength
6. Yellow Capsule # 18-704 or RJS
7. Yellow Capsule RJB or RVJ Double Strength
8. Brown/Clear Capsule C-875
9. Blue/Clear Capsule # 127
10. Green/Clear Capsule # 127
11. White/Clear Capsule # 127
12. White Tablet w/blue specks
13. White Tablet w/green specks
14. Blue Tablet w/blue specks
15. Pink Football Tablet
16. Small White Cross Tablet
17. Pink Heart Tablet
18. Small White Cross Tablet Double Strength
19. Black Capsule RJS or # 18-985
20. Black/Clear Capsule # 17-875 Double Strength
21. Mini Frog Egg
22. Green Triangle # 165
23. Black/White Capsule C-875
24. Small Pink Cross Tablet Double Strength
25. Large Black Capsule RJS Triple Strength

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Use this order form or complete and return the enclosed card.

LEGAL STIMULANTS	
ITEM NO.	QTY.

(Please print)

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PHONE (\_\_\_\_) \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

M/C # \_\_\_\_\_ Visa # \_\_\_\_\_ EXP. DATE \_\_\_\_\_

SIGNATURE — I CERTIFY I AM 18 YEARS OR OLDER

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# oon — New Birth Controls Change Lives of Millions

ew contraceptive techniques will bring about a  
th control and have a tremendous impact on the  
of women.

new birth control methods,  
to be cheaper, safer and more ef-  
fable today, will be on the U.S.  
five

By **JEFF HOYT**

can stop ovulation for three  
months.

● A vaginal sponge that  
blocks sperm from entering  
the uterus.

"There's no medical rea-  
son why these items should  
not be approved by the Food  
and Drug Administration  
(FDA) sometime in the next  
five years," declared Dr.  
Daniel R. Mishell Jr., chair-  
man of the obstetrics-gyne-  
cology department, Univer-  
sity of Southern California.

The 20-year IUD lasts so  
long because it's made with a  
solid copper sleeve instead  
of the thin copper wire used  
in today's copper IUDs.

The time-release capsules,  
containing a hormone, pre-  
vent ovulation for six years.  
They are now being im-  
planted under the skin of a  
woman's upper arm in a  
quick surgical procedure.

"These capsules have been  
tested on women for 10  
years," Dr. Mishell said.  
"Only six out of every 1,000  
women using them for a year  
became pregnant. With The  
Pill, the pregnancy rate is 20  
to 30 per 1,000."

Next month, Dr. Mishell  
said, the FDA will hold hear-  
ings on another method —  
injection of hormones to pro-  
tect against ovulation for  
three months. Women in  
more than 80 countries now  
use this method.

He pioneered the develop-  
ment of a vaginal ring that  
can be used for six months  
and prevents ovulation by  
releasing hormones. "The  
vaginal ring is awaiting FDA  
approval," he said.

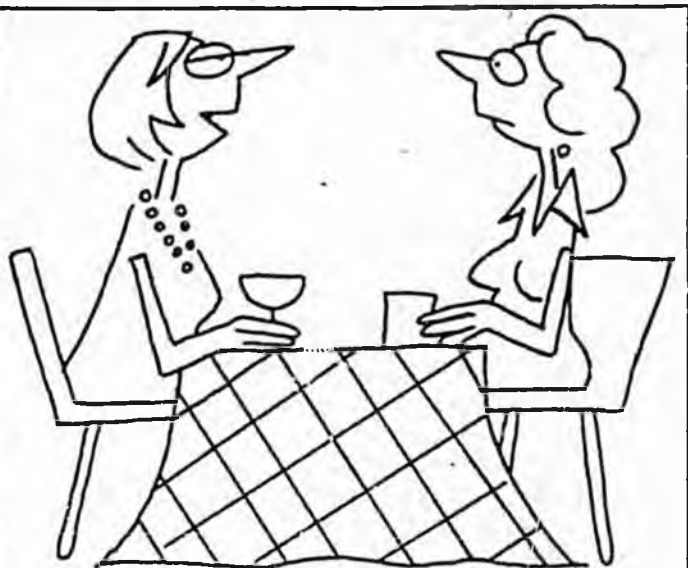
Dr. Howard J. Tatum, pro-

fessor of gynecology and ob-  
stetrics at Emory University  
in Atlanta, described a vagi-  
nal sponge that prevents  
conception two ways.

It physically blocks sperm  
from entering the uterus,  
and it's impregnated with a  
chemical that kills sperm on  
contact, he explained.

"The vaginal sponge will  
probably be approved by the  
FDA within the next few  
months," he predicted.

"It's safer, cheaper and  
more effective than The  
Pill," he said.



"I'm plotting to murder my husband's mistress.  
First, I'll saw off her legs, then I'll cut her cable  
and kick in her screen."

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#2 PURPLE SPECKLED BAR DOUBLE STRENGTH \$20/100 Jar \$100/1000 Jar	#7 RED & CLEAR TRIPLE STRENGTH TIME RELEASED \$30/100 Jar \$150/1000 Jar
#3 PURPLE HEARTS DOUBLE STRENGTH \$20/100 Jar \$100/1000 Jar	#8 PURPLE CAPSULE TRIPLE STRENGTH \$30/100 Jar \$150/1000 Jar
#4 PURPLE FOOTBALLS DOUBLE STRENGTH \$20/100 Jar \$100/1000 Jar	<p><b>WARNING:</b> Certain persons should not take this product such as the elderly, pregnant women, and those taking other drugs or with high blood pressure or thyroid conditions, heart disease, diabetes, any other medication or any other medical condition. Use of this product has been reported to cause high blood pressure and may lead to serious problems associated with high blood pressure in certain individuals. Prolonged or frequent use should be considered particularly dangerous. These and all drugs should be kept out of the reach of children and not administered to children without consulting a physician. This product should only be used after consultation with a physician and used only as directed. Please read label directions for dosage. Taking more than the recommended dose may result in side effects such as increased nervousness, anxiety, irritability, difficulty in falling asleep, and disturbances in heart rate and rhythm. Do not give to children under 12.</p>
#5 PURPLE MINI-CROSS \$15/100 Jar \$55/1000 Jar	
<p>Only contains 25 mg Phenylpropanolamine HCL and 25 mg Caffeine Anhydrous</p>	

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# enforcement officials seek ban of 'look-alike' drugs

press

ON — Federal officials are pushing for a ban on look-alike drugs — perhaps the most serious problem in the drug business today.

Congress acts by

giving law enforcement authorities a strict, enforceable look-alike drug ban, many more young people will die and a group of low-life merchants will continue to profit at the expense of our young people," said Illinois Attorney General Tyrone Fahner.

He said at least seven deaths in Illinois in the past year and a half have been attributed to the use of the look-alikes.

"We are faced with a serious drug problem in America that many of us didn't even know existed a few years

ago," Fahner said.

Look-alikes are tablets, capsules, or other forms of non-controlled, over-the-counter drugs closely resembling well-known, highly abused controlled drugs, such as amphetamines, barbitur-

ates and quaaludes.

Although some ingredients in look-alikes are legitimately used as nasal decongestants, analgesics, or for the relief of cold, allergy or asthma symptoms, they also can produce various stimulant or depressant effects.

"Unfortunately, the look-alike user is lured into believing these pills will produce effects equal to those of the controlled substances they mimic," said Gene Haislip, deputy assistant administrator in the Drug Enforcement Administration.

COUPON

Joe, Paul, Vic, Pappy, Rich  
HB 243

Randy Phillips - sponsor

raises age for day care assistance from  
11-18 for D.D. kids \$247.0

HB 270 - Child Pornography.

Joe - explained concerns

Rich - likes as is.

HB 10 - Imitation controlled substance bill

Mitch Abood - sponsor

Prohibit the sale of "look alike" drugs - made  
to look like drugs. Cannot distinguish  
from real w/o lab test.

32 states passed such bill 4 pending  
HB 10 like model act by DEA. (Very similar)

Lt. McCay

16 yrs. as state trooper / 2 yrs undercover  
1981-95 cases 1982-214 cases

Most common drug Caffeine, ephedrine, &  
pseudoephedrine. → Amphetamines most  
popular.

Pub Safety supports Bill because:

1. purchase leads to violence
2. juveniles take many pills - then get  
the real thing and O.D.
3. introduction of juveniles into drug culture.

HCR 14 - REAA oversight

Pappas - presentation on need for oversight.

Dick Schultz - rep. on committee.

Teacher hiring & turnover, Student drop-out rates, Budget constraints - some topics done.

This yr. - foundation funding, debt retirement, Close up, Student Leadership.

Research & analysis of all issues affecting REAA's. Meet w/ NETA, WofA, parents, etc.

want to deal w/ maintenance & operation budgets → want to supplement foundation study