

STATEMENT

*By Arthur S. Flemming, Secretary of Health,
Education, and Welfare, November 9, 1959*

Amphetamine Drugs

A CRACKDOWN by the Food and Drug Administration against the bootlegging of amphetamine drugs, the initial phase of which has just been completed, has disclosed a serious breakdown in our system of marketing controls for these drugs.

Concentrating initially on the bootlegging of amphetamine to truckdrivers, Food and Drug Administration inspectors obtained evidence that more than 200 operators of truck stops and similar establishments were selling the tablets.

In a number of instances, the inspectors also were able to learn where operators of the truck stops obtained the drugs, and as a result several wholesale peddlers of the tablets are under arrest and are being prosecuted by the Department of Justice.

Criminal proceedings also will be instituted against operators of the truck stops and other establishments found to be selling the drugs unless they are able to show cause why they should not be prosecuted.

In order to obtain this evidence, Food and Drug Administration inspectors have had to maintain various poses, often at considerable personal risk, in order to gain the confidence of truck stop operators, truckdrivers, and others associated with the sale of the tablets.

Agents of the Department of Justice who made the arrests found more than 800,000 amphetamine tablets in the hands of the wholesale peddlers, one of whom alone had 625,000 tablets in his house.

Commissioner of Food and Drugs George P. Larrick and his associates are convinced that the roundup of violators, successful as it was, has only scratched the surface of the total illicit traffic in amphetamine drugs.

The production of amphetamine last year

was about 75,000 pounds, enough to make about 3.5 billion amphetamine tablets, or about 20 tablets for every man, woman, and child in the United States.

Amphetamine is a central nervous system stimulant which taken under proper medical supervision has proved helpful, I am told, in selected cases of obesity, mental depression, and a number of other conditions.

It is when it is sold and used indiscriminately that the danger arises. When it becomes a bootleg product, this useful and powerful drug can readily become the accomplice not only of highway tragedy but of organized crime, juvenile delinquency, and quite possibly drug addiction.

According to medical experts in the Food and Drug Administration, amphetamine is much too potent a drug to be taken without medical supervision. For example, it may produce excessive nervous stimulation, loss of desire for sleep, impairment of judgment, hallucinations, and mental derangement. The amount of the drug required to produce these side effects varies widely from person to person. Under the Federal Food, Drug, and Cosmetic Act, it is illegal to dispense this drug without a doctor's prescription.

The prevention of desire for sleep is the basis for a large illegal trade in amphetamine among long-haul truckdrivers to enable them to stay awake beyond the limits of physical and mental endurance. While it is difficult to prove conclusively that any particular highway accident was due to the use of amphetamine by the driver, the drug has been found on drivers in a number of fatal highway traffic accidents, and there is other circumstantial evidence to implicate the drug in these accidents.

It is a well-established medical fact that prolonged wakefulness, beyond the fatigue limit, will result in a loss of muscular and mental coordination, impairment of judgment, and hallucinations. For example, a driver under the influence of the drug may see a mirage of an oncoming truck which may cause him to swerve off the road or into another vehicle which he didn't see.

Manufacturers, wholesalers, and retail drug-stores have a clear moral as well as legal responsibility to see to it that all dangerous drugs are kept in authorized channels leading ultimately to sale by a qualified pharmacist only on prescription.

In this connection, I should like to call particular attention to a decision rendered on September 30, 1959, by the U.S. Court of Appeals for the Fifth Circuit, in the case of Dr. Samuel J. DeFreese and Marsha Jean Simmons DeFreese versus United States. This case was on appeal from the U.S. District Court for the Middle District of Georgia. The defendants and appellants argued, among other things, that the wholesaling of amphetamine to a truck-driver was not "dispensing" within the meaning of the Federal Food, Drug, and Cosmetic Act. The court, I am happy to say, rejected this contention.

The Food and Drug Administration, with the excellent cooperation of the Departments of Justice and State and local police departments, is doing what it can to put a stop to the illegal

traffic in amphetamine drugs. This campaign will not only be continued but intensified in every way possible.

However, in view of the magnitude of the traffic in these drugs, I believe the present law does not provide the most effective way to get at the problem. We are therefore considering ways in which the legislative authority for dealing with this situation can be improved, and I expect that we will have a constructive proposal in this area to submit to the next session of Congress.

There are several ways in which existing law could be strengthened to improve the enforcement program. We are seriously considering such additional legislative requirements as the following:

1. That manufacturers, wholesalers, and retailers be registered to enable identification and that they be subject to Federal inspection.
2. That manufacturers, wholesalers, and retailers keep records of sales of the drug, with a penalty provision covering the falsification of such records.
3. A provision defining unauthorized possession of the drug as an offense.
4. A congressional action which finds that any illegal sale of the drug (whether or not the drug was in interstate commerce) is in effect a "burden" on legitimate interstate commerce, and hence subject to Federal control, thus making it unnecessary to prove interstate shipment in each bootleg sale.

Courses on Radionuclides in Food

A course in radionuclides in food will be offered again during April 18-29, 1960, at the Robert A. Taft Sanitary Engineering Center, Public Health Service, Cincinnati, Ohio. Presented first in September 1959, the course is designed for persons responsible for monitoring radioactive materials in milk and food.

Subjects include methods for sampling and assay of radioactive contaminants, data interpretation, radiation fundamentals and instrumentation, and sources of radionuclides in foods.

Applications should be addressed to the Chief, Training Program, Robert A. Taft Sanitary Engineering Center, 4676 Columbia Parkway, Cincinnati 26, Ohio, or to the director of a Public Health Service regional office.