

**CHAPTER 13—DRUG ABUSE PREVENTION
AND CONTROL****SUBCHAPTER I—CONTROL AND ENFORCEMENT****PART A—INTRODUCTORY PROVISIONS**

- Sec.
801. Congressional findings and declarations: controlled substances.
801a. Congressional findings and declarations: psychotropic substances.
802. Definitions.
803. Repealed.

PART B—AUTHORITY TO CONTROL; STANDARDS AND SCHEDULES

811. Authority and criteria for classification of substances.
812. Schedules of controlled substances.
813. Treatment of controlled substance analogues.
814. Removal of exemption of certain drugs.

PART C—REGISTRATION OF MANUFACTURERS, DISTRIBUTORS, AND DISPENSERS OF CONTROLLED SUBSTANCES

821. Rules and regulations.
822. Persons required to register.
822a. Prescription drug take back expansion.
823. Registration requirements.
824. Denial, revocation, or suspension of registration.
825. Labeling and packaging.
826. Production quotas for controlled substances.
826a. Attorney General report on drug shortages.
827. Records and reports of registrants.
828. Order forms.
829. Prescriptions.
829a. Delivery of a controlled substance by a pharmacy to an administering practitioner.
830. Regulation of listed chemicals and certain machines.
831. Additional requirements relating to online pharmacies and telemedicine.
832. Suspicious orders.

PART D—OFFENSES AND PENALTIES

841. Prohibited acts A.
842. Prohibited acts B.
843. Prohibited acts C.
844. Penalties for simple possession.
844a. Civil penalty for possession of small amounts of certain controlled substances.
845 to 845b. Transferred.
846. Attempt and conspiracy.
847. Additional penalties.
848. Continuing criminal enterprise.
849. Transportation safety offenses.
850. Information for sentencing.
851. Proceedings to establish prior convictions.
852. Application of treaties and other international agreements.
853. Criminal forfeitures.
853a. Transferred.
854. Investment of illicit drug profits.
855. Alternative fine.
856. Maintaining drug-involved premises.
857. Repealed.
858. Endangering human life while illegally manufacturing controlled substance.
859. Distribution to persons under age twenty-one.
860. Distribution or manufacturing in or near schools and colleges.
860a. Consecutive sentence for manufacturing or distributing, or possessing with intent to manufacture or distribute, methamphetamine on premises where children are present or reside.
861. Employment or use of persons under 18 years of age in drug operations.
862. Denial of Federal benefits to drug traffickers and possessors.

- Sec.
862a. Denial of assistance and benefits for certain drug-related convictions.
862b. Sanctioning for testing positive for controlled substances.
863. Drug paraphernalia.
864. Anhydrous ammonia.
864a. Grants to reduce production of methamphetamines from anhydrous ammonia.
865. Smuggling methamphetamine or methamphetamine precursor chemicals into the United States while using facilitated entry programs.

PART E—ADMINISTRATIVE AND ENFORCEMENT PROVISIONS

871. Attorney General.
871a. Semiannual reports to Congress.
872. Education and research programs of Attorney General.
872a. Public-private education program.
873. Cooperative arrangements.
874. Advisory committees.
875. Administrative hearings.
876. Subpenas.
877. Judicial review.
878. Powers of enforcement personnel.
879. Search warrants.
880. Administrative inspections and warrants.
881. Forfeitures.
881-1, 881a. Transferred.
882. Injunctions.
883. Enforcement proceedings.
884. Immunity and privilege.
885. Burden of proof; liabilities.
886. Payments and advances.
886a. Diversion Control Fee Account.
887. Coordination and consolidation of post-seizure administration.
888. Repealed.
889. Production control of controlled substances.
890. Review of Federal sales of chemicals usable to manufacture controlled substances.

PART F—GENERAL PROVISIONS

901. Severability.
902. Savings provisions.
903. Application of State law.
904. Payment of tort claims.

SUBCHAPTER II—IMPORT AND EXPORT

951. Definitions.
952. Importation of controlled substances.
953. Exportation of controlled substances.
954. Transshipment and in-transit shipment of controlled substances.
955. Possession on board vessels, etc., arriving in or departing from United States.
955a to 955d. Transferred.
956. Exemption authority.
957. Persons required to register.
958. Registration requirements.
959. Possession, manufacture, or distribution of controlled substance.
960. Prohibited acts A.
960a. Foreign terrorist organizations, terrorist persons and groups.
961. Prohibited acts B.
962. Second or subsequent offenses.
963. Attempt and conspiracy.
964. Additional penalties.
965. Applicability of part E of subchapter I.
966. Authority of Secretary of the Treasury.
967. Smuggling of controlled substances; investigations; oaths; subpenas; witnesses; evidence; production of records; territorial limits; fees and mileage of witnesses.
968. Service of subpoena; proof of service.

| | |
|------|--|
| Sec. | |
| 969. | Contempt proceedings. |
| 970. | Criminal forfeitures. |
| 971. | Notification, suspension of shipment, and penalties with respect to importation and exportation of listed chemicals. |

SUBCHAPTER I—CONTROL AND
ENFORCEMENT

PART A—INTRODUCTORY PROVISIONS

**§ 801. Congressional findings and declarations:
controlled substances**

The Congress makes the following findings and declarations:

(1) Many of the drugs included within this subchapter have a useful and legitimate medical purpose and are necessary to maintain the health and general welfare of the American people.

(2) The illegal importation, manufacture, distribution, and possession and improper use of controlled substances have a substantial and detrimental effect on the health and general welfare of the American people.

(3) A major portion of the traffic in controlled substances flows through interstate and foreign commerce. Incidents of the traffic which are not an integral part of the interstate or foreign flow, such as manufacture, local distribution, and possession, nonetheless have a substantial and direct effect upon interstate commerce because—

(A) after manufacture, many controlled substances are transported in interstate commerce,

(B) controlled substances distributed locally usually have been transported in interstate commerce immediately before their distribution, and

(C) controlled substances possessed commonly flow through interstate commerce immediately prior to such possession.

(4) Local distribution and possession of controlled substances contribute to swelling the interstate traffic in such substances.

(5) Controlled substances manufactured and distributed intrastate cannot be differentiated from controlled substances manufactured and distributed interstate. Thus, it is not feasible to distinguish, in terms of controls, between controlled substances manufactured and distributed interstate and controlled substances manufactured and distributed intrastate.

(6) Federal control of the intrastate incidents of the traffic in controlled substances is essential to the effective control of the interstate incidents of such traffic.

(7) The United States is a party to the Single Convention on Narcotic Drugs, 1961, and other international conventions designed to establish effective control over international and domestic traffic in controlled substances.

(Pub. L. 91-513, title II, §101, Oct. 27, 1970, 84 Stat. 1242.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in par. (1), was in the original “this title”, meaning title II of Pub. L. 91-513,

Oct. 27, 1970, 84 Stat. 1242, as amended, and is popularly known as the “Controlled Substances Act”. For complete classification of title II to the Code, see second paragraph of Short Title note set out below and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 91-513, title II, §704, Oct. 27, 1970, 84 Stat. 1284, provided that:

“(a) Except as otherwise provided in this section, this title [see Short Title note below] shall become effective on the first day of the seventh calendar month that begins after the day immediately preceding the date of enactment [Oct. 27, 1970].

“(b) Parts A, B, E, and F of this title [Parts A, B, E, and F of this subchapter], section 702 [set out as a note under section 321 of this title], this section, and sections 705 through 709 [sections 901 to 904 of this title and note set out below], shall become effective upon enactment [Oct. 27, 1970].

“(c) Sections 305 (relating to labels and labeling) [section 825 of this title], and 306 (relating to manufacturing quotas) [section 826 of this title] shall become effective on the date specified in subsection (a) of this section, except that the Attorney General may by order published in the Federal Register postpone the effective date of either or both of these sections for such period as he may determine to be necessary for the efficient administration of this title [see Short Title note below].”

SHORT TITLE OF 2018 AMENDMENT

Pub. L. 115-271, title III, §3211, Oct. 24, 2018, 132 Stat. 3947, provided that: “This chapter [chapter 2 (§§3211, 3212) of subtitle B of title III of Pub. L. 115-271, enacting provisions set out as a note under section 829 of this title] may be cited as the ‘Empowering Pharmacists in the Fight Against Opioid Abuse Act.’”

Pub. L. 115-271, title III, §3221, Oct. 24, 2018, 132 Stat. 3947, provided that: “This chapter [chapter 3 (§§3221-3223) of subtitle B of title III of Pub. L. 115-271, amending section 822 of this title and enacting provisions set out as notes under section 822 of this title] may be cited as the ‘Safe Disposal of Unused Medication Act.’”

Pub. L. 115-271, title III, §3231, Oct. 24, 2018, 132 Stat. 3949, provided that: “This chapter [chapter 4 (§§3231, 3232) of subtitle B of title III of Pub. L. 115-271, amending section 831 of this title] may be cited as the ‘Special Registration for Telemedicine Clarification Act of 2018.’”

Pub. L. 115-271, title III, §3271, Oct. 24, 2018, 132 Stat. 3952, provided that: “This chapter [chapter 7 (§§3271-3274) of subtitle B of title III of Pub. L. 115-271, amending sections 827, 842, and 873 of this title and enacting provisions set out as a note under section 827 of this title] may be cited as the ‘Using Data To Prevent Opioid Diversion Act of 2018.’”

Pub. L. 115-271, title III, §3281, Oct. 24, 2018, 132 Stat. 3954, provided that: “This chapter [chapter 8 (§§3281, 3282) of subtitle B of title III of Pub. L. 115-271, amending section 826 of this title and enacting provisions set out as a note under section 826 of this title] may be cited as the ‘Opioid Quota Reform Act.’”

Pub. L. 115-271, title III, §3291, Oct. 24, 2018, 132 Stat. 3956, provided that: “This chapter [chapter 9 (§§3291, 3292) of subtitle B of title III of Pub. L. 115-271, enacting section 832 of this title and amending section 802 of this title] may be cited as the ‘Preventing Drug Diversion Act of 2018.’”

SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115-83, §1, Nov. 17, 2017, 131 Stat. 1267, provided that: “This Act [amending section 823 of this title] may be cited as the ‘Protecting Patient Access to Emergency Medications Act of 2017.’”

SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-145, §1, Apr. 19, 2016, 130 Stat. 354, provided that: “This Act [amending sections 823 and 824 of this