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## State may restrict certain cold drugs

Pseudoephedrine is extracted to illegally make dangerous methamphetamine.

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### Cautious states

Florida is among the 41 states that have or are considering restrictions on the sale of medicines containing pseudoephedrine, which is used in the production of the illegal street drug methamphetamine.

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Source: The National Alliance for Model State Drug Laws; Sentinel research



By **Susan Jacobson** | Sentinel Staff Writer

Posted March 10, 2005

Alarmed by the spread of the street drug methamphetamine, legislators in dozens of states, including Florida, are considering laws to restrict access to popular cold medicines such as Sudafed, which can be used to make the dangerous stimulant.

The Florida law would place cold medicines with the nasal decongestant pseudoephedrine as the only active ingredient behind the counter so customers would have to request them. It also would limit purchases to three packages at a time, said state Rep. Greg Evers, R-Baker, the House sponsor.

"Methamphetamine is a very dangerous drug," said Jim McDonough, director of the Florida Office of Drug Control. "I've seen a lot of scourges, but nothing like methamphetamine. It surpasses crack cocaine."

The manufacture of meth, once confined mainly to rural counties, has spread into more urban areas, where "cooks" endanger themselves and others when they use volatile, easily available chemicals to brew the drug in houses, apartments and motels. The ingredients can catch fire or explode, and their disposal creates a toxic-waste nightmare, law-enforcement officers say.

Methamphetamine causes sleeplessness, loss of appetite and increased energy and alertness when it is smoked, snorted or injected,

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according to the Office of National Drug Control Policy. It also can be highly addictive and bring on convulsions, a stroke, cardiac problems, violence, paranoia and hallucinations.

The crisis has prompted some stores, including Wal-Mart and Walgreens, to voluntarily impose limits on the quantity of certain cold medicines customers may buy at a time. Other pseudoephedrine products include Contac Cold caplets, Drixoral Nasal Decongestant, Nuprin Cold Relief nasal decongestant, Dimetapp 12-Hour Extentabs and various store-brand generics.

The maker of Sudafed, which police say is the preferred source of pseudoephedrine for meth cooks, supports some restrictions on its sale. To further foil methamphetamine manufacturers, the company in late January began distributing a form of Sudafed that contains no pseudoephedrine.

"We recognize it's a serious problem, and we want to be part of the solution," said Erica Johnson, a spokeswoman for Pfizer Consumer Group.

The plan to tighten the screws on meth production is gaining momentum. The state's proposed law, crafted with suggestions from the Florida Retail Federation, drug manufacturers, law enforcement and several state agencies, is designed to cut down on shoplifting of medicine and to discourage buyers who don't have a legitimate need for cold pills.

"You never deter the real bold ones or the real desperate ones, but you deter a lot of them," McDonough said.

Critics say the law would not stop customers from going store to store or having friends buy the drug for them, a practice known as "smurfing." Steve Preisler, who wrote an instructional book on methamphetamine manufacturing, said laws targeting over-the-counter cold pills are grandstanding on the part of legislators.

"It's hitting on the very small players at the expense of the major players," said Preisler, who writes under the pseudonym "Uncle Fester." "They're ignoring the heavyweights that are bringing the truckloads across the border."

Large labs found mainly in California and Mexico supply the majority of meth, also known as "speed" or "crank," and the law would have no effect on them, say opponents, including a group that represents pharmacists.

"Large labs getting pseudoephedrine in bulk from other sources, that's what you've got to fix," said Michael Jackson, executive vice president of the Florida Pharmacy Association.

That doesn't mean smaller labs should be ignored, Evers said.

"If we can control that 20 percent of the problem here at home, we're better off," he said.

Several shoppers said they would not mind the inconvenience of asking for cold pills if it helps the fight against illegal drugs.

"You're saving a lot of lives," said Efraín Iglesias, 34, a psychotherapist, as he waited Wednesday in the pharmacy section of a Super Target in south Orange County.

Others disagreed.

"Why punish everybody, right?" asked Bob Springer, 68, an Orlando retiree. "I think it's an overreaction."

Forty other states already restrict the sale or possession of pseudoephedrine products or are considering some controls, according to The National Alliance for Model State Drug Laws.

Federal legislation patterned after a 2004 Oklahoma law also has been introduced that would put cold medicine made with pseudoephedrine behind pharmacy counters and require buyers to sign for it and show identification. No prescription would be required.

Meth-lab busts plummeted in Oklahoma after the law took effect, but officials are still trying to determine whether the restrictions caused the drop.

The Florida House bill had a first reading Tuesday and is awaiting assignment to a committee. State Sen. Durell Peadar, R-Crestview, is sponsoring an identical Senate bill that was filed Tuesday, the opening day of the 2005 legislative session. Medications that contain pain relievers, antihistamines or other medicines in combination with pseudoephedrine would not be subject to the new law. It is impossible to make methamphetamine without pseudoephedrine, experts said.

An estimated 600,000 Americans illegally use methamphetamine, according to a 2003 national survey by the Substance Abuse and Mental Health Services Administration. The numbers are the most recent available.

Statistics show a rising number of seizures of methamphetamine laboratories in Florida. The U.S. Drug Enforcement Administration recorded 28 seizures statewide in the year ending Sept. 30, 2001, said Oscar Negrón, a spokesman. In the corresponding period of 2003-04, there were 332 seizures, he said. This week alone, authorities busted meth labs in Volusia, Lake and Brevard counties.

National admissions to treatment centers for methamphetamine and amphetamine abuse also have ballooned, increasing from 42,300 admissions in 1996 to 124,601 in 2002. The figures are the most recent from the Drug and Alcohol Services Information System.

Even some meth users say they support efforts to cut off the supply of cold pills to home drug manufacturers. Kipp Tuttle, 33, said he once cooked the drug in a \$200-a-night motel room in south Orange County and supported himself by dealing. However, he spent time in prison after he made several sales to an undercover agent.

"It's going to be hard to control it, but I'm all for controlling it," said Tuttle, who is in the Osceola County Jail on methamphetamine-related charges. "It pretty much takes over your life."

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