

UNITED STATES DEPARTMENT OF JUSTICE  
DRUG ENFORCEMENT ADMINISTRATION

In the Matter of )  
 ) Docket No. 84-48  
MDMA SCHEDULING )  
 )  
\_\_\_\_\_ )

REBUTTAL TESTIMONY OF LARRY SNYDER

I, Larry Snyder make the following statement:

I am a Supervisory Diversion Investigator with the Drug Enforcement Administration. I have been an Investigator with DEA for 14 years. Prior to this I was employed by Rexall Drug Company in St. Louis, Missouri as Manager of Quality Control, and by the Food and Drug Administration for three years. I was an Inspector with FDA and conducted investigations relating to New Drug Applications (NDAs) and Investigational New Drug Applications (INDs). I am currently assigned to the Office of Diversion Control as Unit Chief of Domestic Operations in the Diversion Operations Section in DEA Headquarters in Washington, D.C. During the time I have been with DEA I have served as an Investigator in DEA's St. Louis, Missouri office, a Supervisor and Program Manager in DEA's Kansas City office, and a Program Manager for the Chicago Division in DEA's Chicago Divisional Office. During the course of my duties as an Investigator and a Supervisor, I have had the opportunity to conduct and supervise investigations of DEA registrants, including Schedule I researchers. I am familiar with the registration, security and recordkeeping requirements imposed by the Controlled Substances

Act and implementing regulations.

An individual who is registered by DEA to conduct research with controlled substances in Schedule I is required to maintain records in order to account for these controlled substances. A researcher must physically inventory the stock of controlled substances on hand every two years. Records of receipt for all controlled substances must be maintained. Controlled substances in Schedules I and II require the receipts to be in the form of a triplicate order form issued by DEA. This form is used to order Schedule I and II controlled substances from the supplier and the third copy is retained by the purchaser (researcher). Upon receipt of the controlled substance a notation of the quantity and date received is made on the third copy and retained by the researcher as the record of receipt. The researcher must also document all dispositions of controlled substances such as administering, dispensing, waste, theft, or transfer to another researcher. These records may be maintained in any format which is convenient for the researcher, as long as they contain the required information. All records must be maintained separately and for a period of two years.

Recordkeeping requirements for researchers in Schedule I and II are identical. Recordkeeping requirements for researchers registered to handle controlled substances in Schedules III, IV, and V include biennial inventory, but only an estimated count or measure of each controlled substances is required; records of receipt, but not on DEA triplicate order forms, and complete and accurate records of disposition in the same manner as Schedule I

and II researchers.

In addition, there is an exemption from the recordkeeping requirements for individuals who conduct research under the authority and auspices of a New Drug Application (NDA) or an Investigational New Drug Application (IND) or conduct preclinical research in an institutional setting. Where the institution keeps records of the controlled substances, the individual researcher is exempt from such requirements. Based upon my previous experience, the records required to be kept in accordance with IND and NDA procedures are significantly more onerous than those required by DEA. The records required to be kept in the course of scientific experimentation are far more detailed than those required to account for the controlled substances used by researchers.

The security requirements for storage of controlled substances by all researchers, are identical, regardless of the Schedule of the substance. All controlled substances must be stored in a securely locked, substantially constructed cabinet.

I declare, under penalty of perjury, that the foregoing statement is true and correct.

  
Larry Snyder

Dated: May 16, 1985