

U.S. DEPARTMENT OF JUSTICE
Drug Enforcement Administration

In the Matter of
MDMA Scheduling

Docket No. 84-48

MOTION FOR LEAVE TO FILE
ADDITIONAL DOCUMENTS ON BEHALF OF
DRS. GRINSPOON AND GREER,
PROFESSORS BAKALAR AND ROBERTS

Drs. Greer, et al. seek leave to file the attached additions to their final list of documents. The documents numbered 41 to 46 are documents only recently provided to Drs. Greer, et al., pursuant to the direction of the Administrative Law Judge. These new documents reflect the following facts:

(1) According to Ms. Johnson's letter to Mr. Cotton dated July 16, 1985 (document 41), in 1979, the Drug Enforcement Administration wrote formal letters to 17 law enforcement agencies seeking information on laboratory analyses and trafficking in MDMA. In response to their 17 letters, nine respondents did not reply at all. Of the eight who replied, five indicated they had never encountered MDMA; only three indicated they had encountered MDMA. The Government submitted only the three letters which indicated that three laboratories had encountered MDMA. The documents numbered 42 through 46 are the replies received by DEA indicating that these five laboratories had never encountered MDMA.

(2) In 1982, the Drug Enforcement Administration published a request in its Microgram publication which is sent nationwide to forensic laboratories and law enforcement agencies seeking information on encounters with MDMA. Ms. Johnson's letter, document 41, indicates that the two documents numbered B-11 and B-13 in the Government's List of Documents constituted the entire response to the 1982 Microgram notice.

(3) The Government published in March, 1985 another request in its Microgram publication for information concerning trafficking in MDMA. Ms. Johnson's letter, document 41, indicates that DEA has to date received no responses to that publication.

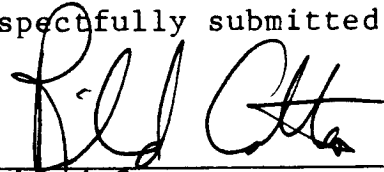
Drs. Greer, et al., submit that the information set out in Documents 41 - 46 is highly relevant to the issue of the extent of the abuse potential of MDMA and requests therefore that the documents reflecting the history outlined above be received into the record.

The final document (number 47) is an article written by colleagues of Dr. Lewis Seiden, a witness for the Government. This document reflects that a marketed drug (fenfluramine) has been shown to have a higher potential to cause the biochemical effects in rat brains which Dr. Seiden has reported occur when MDA is injected into rats. The study on MDA carried out by

Dr. Seiden is an attachment to Dr. Seiden's testimony and is in the record in this proceeding. We submit that a paper showing that fenfluramine produces more of this particular biochemical effect in rat brains than MDA, has relevance for appraising the meaning and significance of Dr. Seiden's findings with respect to MDA and MDMA, given the fact that fenfluramine has been approved by the FDA for marketing in this country as safe and effective.

Dr. Seiden's testimony was included in the record as "rebuttal" testimony submitted by the Government. Therefore, Drs. Greer, et al., have only recently had the opportunity to obtain the enclosed document, and therefore request that it be accepted at this time for inclusion in the record.

Respectfully submitted,



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Dated: July 19, 1985

CERTIFICATION OF SERVICE

I certify that on July 19, 1985, a copy of the foregoing Motion for Leave to File Additional Documents on Behalf of Drs. Grinspoon and Greer, Professors Bakalar and Roberts, was mailed postage prepaid to each of the following:

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