

# Methamphetamine and Controlled Substance Precursors

Meth, Crystal Meth, Crank, Speed, Glass, Ice, Batu, Chalk, Shabu, or Zip, Methamphetamine drugs take many names and have many forms.

This plague on society has caused many lives to be ruined. Because Methamphetamine is such a problem, the Utah Legislature has determined that the precursor chemicals used to produce methamphetamine should be regulated. As a result, the Utah Controlled Substance Precursor Act was enacted. The purpose of the Utah Controlled Substance Precursor Act (Title 58-37c) is to "provide for the licensure of regulated distributors and regulated purchasers engaged in regulated transactions of threshold amounts of controlled substance precursor chemicals."

A regulated distributor is "any person within the state of Utah who provides, sells, furnishes, transfers, or otherwise supplies a listed controlled substance precursor chemical in a regulated transaction." A regulated purchaser is "any person within the state who receives a listed controlled substance precursor chemical in a regulated transaction."

A regulated transaction is "any actual, constructive or attempted transfer, distribution, delivery, or furnishing by a person within the state to a person within or outside of the state, of a threshold amount of a listed precursor chemical; or purchase or acquisition by any means by a person within the state to a person within or outside of the state, of a threshold amount of a listed precursor chemical."

A threshold amount of a controlled substance precursor means "any amount of a controlled substance precursor, unless otherwise exempted by the Division by rule."

Title 58-37c-8(4) states any purchase, sale, transfer, furnishing, or receipt of any drug intended for lawful use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals, which contains ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine, if such drug is lawfully purchased, sold, transferred, or furnished as an over-the-counter medication is excepted from licensure.

If the purchase or sale involved a Controlled Substance Precursor not excepted in 58-37c-8, both the purchaser and the seller must be licensed.

The distributor who sells over-the-counter medication excepted from licensure should also be aware that it is a Class A Misdemeanor for a person not licensed to possess more than 12 grams of ephedrine, pseudoephedrine, their salts, isomere, or salts of isomere, or a combination of any of these substances. Should a distributor, whether licensed or excepted from licensure, be found to have sold, distributed, or otherwise supplied a controlled substance precursor chemical knowingly or having reasonable cause to believe it will be used for a clandestine laboratory operation, the person could be charged with a Second Degree Felony. The purchase of two ounces of crystal iodine in a single transaction is legal pursuant to Title 58-37c-8(6); however, any amount of sale or transfer of crystal iodine is considered a threshold amount, and any sale is considered a regulated transaction and the distributor must be licensed as a regulated distributor and comply with the record keeping requirements of Subsection 58-37c-18.

The Utah Legislature, in the 2000 session, also included the following as Controlled Substance Precursors: Anhydrous Ammonia, Red Phosphorous and Iodine of concentrations greater than 1.5 percent by weight in a solution or matrix.

Questions or concerns regarding this information may be directed to the Utah Division of Occupational and Professional Licensing at (801) 530-6495 or the Utah Department of Public Safety at (801) 284-6200.