

time high of 12 billion in 1971—by putting the most dangerous substances, amphetamine, methamphetamine, and phenmetrazine (otherwise known as Preludin) on Schedule II of the Controlled Substances Act. This is the most restrictive category for licit drugs. It lays down production quotas, requires detailed monitoring and record-keeping, and forbids renewals of a prescription without a physician's approval. Other amphetamine-like drugs were put on Schedules III and IV, a move that recognizes their abuse potential but doesn't restrict distribution other than through prescription requirements.

The regulatory problem has become increasingly complex in recent years as companies have come out with new drugs that are amphetamine-like in varying degrees. Some of these have been put on Schedule III or IV even though their abuse potential would seem to warrant tighter restrictions. For example, Pennwalt Corporation, the country's biggest manufacturer of diet pills, rechanneled its energies to marketing a drug called Ionamin after its big seller, Biphedamine, was put on Schedule II. Pennwalt claims that Ionamin is not an amphetamine and does not have the associated side effects. Lester Grinspoon, psychiatrist at Massachusetts Mental Health Center and the lead-off witness at the Nelson hearings, says, however, that the chemical structure is similar to amphetamine, and any minor chemical change is unlikely to change the drug's action much. [There is a class of amphetamine-like compounds that exert effects that are more sedative than stimulant, and sometimes hallucinogenic. Fenfluramine (marketed as Pondimin) is an example. These are not subject to much abuse, but neither is their anorectic value clearly established.] The fact is, say Grinspoon and others, the search for a drug that reduces appetite without producing the side effects characteristic of amphetamine has met with failure. (He says the situation is analogous to what happened when researchers tried to synthesize a nonaddicting opiate analgesic. The "hero" drug they came up with in 1898 was named heroin.)

There is a distinct division of opinion on this matter. Government officials believe some congeners are reasonably safe and Crout said, "I suspect a strong safety case against the nonamphetamines can't be made at this time." The best supporting data for their addiction potential are government statistics showing that, indeed, Schedule II drugs are much more widely and heavily abused than those subjected to more lenient controls.

The popularity of amphetamines and their sympathomimetic relatives has been phenomenal since they first became available in pill form in the 1950's. And, says Grinspoon, "there's been nothing like this in the way it's been embraced by the medical profession and pushed by industry."

According to testimony of Frederick A. Rody, Jr., of the DEA, some pharmaceutical companies have raised strenuous resistance to having their drugs more tightly controlled, even in the face of massive abuse of their product. Some have asked for an expansion of their production quotas to meet expected demand, said Rody, even though the demand projections were considerably higher than DEA estimates of legitimate medical need.

Rody related how one company, Pennwalt Corporation, responded to forthcoming restrictions on its amphetamine drug Biphedamine. Just before it was put into Schedule II, the company exported large quantities of the raw materials to its subsidiary in Mexico City. There the stuff was encapsulated, under the name Bifetamina, presumably for sale in Mexico. So much of the substance was smuggled back into the United States and sold on the black market that DEA had to mount a special operation, "Operation Blackjack," to clamp down on the traffic. Subsequently, under pressure from DEA, Pennwalt agreed to get out of the amphetamine export business. But then, in what a DEA agent called a "deadly parallel" to the Biphedamine episode, Pennwalt has exported over the past 2 years 600 kilograms of the bulk powder from which Ionamin (a Schedule IV drug) is manufactured—enough for 20 to 40 million pills. There has recently been found to be heavy trafficking and abuse of "Ionamina" in states adjacent to the Mexican border. "Discussions" with DEA have recently been held, and Pennwalt has now agreed to stop shipments of Ionamin powder to Mexico.

The president of Pennwalt's pharmaceutical division, Isaac R. McGraw, defended his company, saying it had always scrupulously obeyed the law and eagerly cooperated with the government. "We do not believe there is any probative evidence that our anti-obesity products show meaningful statistical or other factual evidence of abuse," testified McGraw. And, "Pennwalt is not aware of any significant illegal use of its anti-obesity products."

Other witnesses, including those dealing with street level addicts, in fact agreed that most "uppers" are obtained through legal channels. Rody said illicit