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Legalizing designer and other drugs could save billions, bring in big tax revenue

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The synthetic drug market pulls in billions of dollars each year, according to estimates by the U.S. Drug Enforcement Administration.

While many of the substances are a molecule away from being illegal, the Federal Analog Act allows substances with chemical structures similar to those of controlled substances to be considered as such in certain situations.

But DEA Special Agent Will Taylor said the theory and practice behind the law differ greatly. Just because some compounds are considered analogs of drugs that are already controlled, it does not mean the act can always be successfully prosecuted, Taylor said.

"You have to prove that the person that was manufacturing it or distributing it knew that it was being used for human consumption," he said.

Last week 10 people were charged with controlled substances-related crimes in New York for allegedly working with a Seattle-based bath salt ring -- but undercover DEA agents were able to record store owners explaining how to ingest the substance and bragging how the product would not show up in urinary drug screens.

Proving that companies intend for consumers to ingest their products can be a hard hurdle to cross when warning labels on bath salts and synthetic marijuana state they are not for human consumption, Taylor said. In the meantime, the DEA is putting some of the chemicals on an emergency controlled substances list, a process he said requires several steps for approval.

State and city governments can move faster than the federal government to ban the designer drugs, Taylor said, and many states, including Indiana and Illinois, already have passed bans on certain synthetic marijuana compounds.

But according to a report published by the CATO Institute, legalizing these compounds, plus marijuana, heroin, cocaine and other controlled substances, could save the government more than \$40 billion in enforcement costs and bring in tax revenue of about \$47 billion each year. The recently busted alleged bath salts ring was moving \$2 million

worth of the product alone, according to the U.S. attorney's office for the Southern District of New York.

The Cato report states that Illinois could bring in more than \$600 million in annual revenue, and Indiana more than \$320 million if drugs were legalized.

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