

ORRIN G. HATCH  
UTAH

JACE JOHNSON  
CHIEF OF STAFF

104 Hart Senate Office Building

TELEPHONE: (202) 224-5251  
TDD (202) 224-2849  
FAX: (202) 224-6331

Website: <http://www.senate.gov/~hatch>

The Honorable Michele Leonhart  
Drug Enforcement Administration  
U.S. Department of Justice  
700 Army-Navy Drive  
Room 12060  
Arlington, VA 22202

Dear Administrator Leonhart,

I am concerned about the growing use of the street drug known as Spice. Spice is a cannabinoid which mimics the effects of THC. As you know, Spice is fast becoming an alternative to marijuana. It produces effects similar to marijuana and appears to be commercially available at convenience stores and paraphernalia retailers commonly referred to as "head shops."

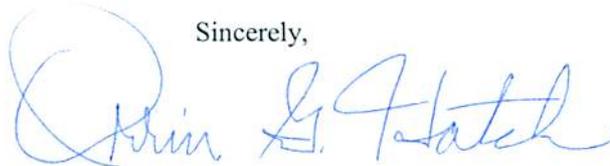
In March 2009, the Drug Enforcement Administration issued an intelligence alert to law enforcement that Spice was becoming a drug and chemical of concern. At this time, Spice is currently not controlled by the Drug Enforcement Administration. Young adults and adolescents are turning to Spice as a form of legalized marijuana. I am sad to report that this trend is growing to epidemic proportions in my home state of Utah. I have received numerous letters from constituents and had discussions with Utah law enforcement officials expressing the need for an administrative and legislative remedy to the Spice problem.

Currently, almost two dozen states have passed legislation identifying spice as a controlled substance. I am requesting your assistance in having the Drug Enforcement Administration exercise its emergency scheduling authority to classify Spice as a schedule I substance. Spice has a current pattern of abuse as a form of legalized marijuana that is being openly sold by retailers. Since your agency went so far as to issue a previous intelligence alert on this substance 19 months ago, the scope, duration and significance of Spice abuse was alarming to the Drug Enforcement Administration back then. Spice abuse and distribution continues to escalate. I firmly believe that Spice poses a risk to public health. A recent study by the Journal of Occupational Medicine and Toxicology determined that Spice has similar negative health effects as cannabis consumption.

If Spice were considered a schedule I substance, this would assist law enforcement in addressing this growing problem. Additionally, I am aware that the Drug Enforcement Administration and participating Utah law enforcement agencies in the Rocky Mountain HIDTA are working together to formulate an action plan to address Spice abuse in Utah. I believe that an emergency scheduling would be a great help in addressing and suppressing what is essentially legalized marijuana distribution.

Thank you for your consideration in these matters.

Sincerely,



Orrin G. Hatch  
United States Senator

cc: Attorney General Eric Holder  
ONDCP Director Gil Kerlikowske

COMMITTEES:

FINANCE

JUDICIARY

HEALTH, EDUCATION,  
LABOR, AND PENSIONS

INTELLIGENCE

AGING

JOINT COMMITTEE  
ON TAXATION

# United States Senate

WASHINGTON, DC 20510-4402

November 8, 2010