

News



New Jersey Office of the Attorney General

NEW JERSEY DEPARTMENT OF LAW & PUBLIC SAFETY

Paula T. Dow, *Attorney General*

Division of Consumer Affairs

Thomas R. Calcagni, *Acting Director*

For Immediate Release:
April 28, 2011

For Further Information Contact:
Jeff Lamm, 973-504-6327
Neal Buccino, 973-504-6327

New Jersey Division of Consumer Affairs Bans Designer Drugs labeled as "Bath Salts"

TRENTON – Intervening to stop an imminent threat to public safety and health, Attorney General Paula T. Dow and Thomas R. Calcagni, Acting Director of the State Division of Consumer Affairs, today announced an Order of the Acting Director to ban the manufacture, distribution, sale, and possession of designer drugs labeled as "bath salts".

Effective immediately upon the signing by Acting Director Calcagni on Wednesday, the Order adds six chemicals associated with designer drugs labeled as "bath salts" to the list of Schedule I Controlled Dangerous Substances in New Jersey. As Schedule I CDS, the drugs are now subject to the strictest level of state control. Manufacture, distribution, sale, or possession of the chemicals is now a third-degree crime. Violators may be subject to a fine of up to \$25,000 and imprisonment for a three- to five-year term.

Designer drugs labeled as "bath salts" are associated with intense, severe side effects that have led to suicidal thoughts, self-mutilation, and violent outbursts. On December 3, 2010, a 26-year-old man shot and killed a County Sheriff's Deputy in Mississippi. According to officials, toxicology results later revealed chemicals from the so-called "bath salts" designer drugs in the man's system.

Psychological side effects include extreme anxiety and paranoia, delusional thinking, and visual and auditory hallucinations. Physical side effects include dramatically increased blood pressure and heart rates, and chest pains so severe some users feared they were dying.

The State CDS Act authorizes the Director of the Division of Consumer Affairs to classify a substance as a Schedule I CDS through the promulgation of a regulation, if the substance is found to have a high potential for abuse and no accepted medical use for treatment in the United States. The Act further authorizes the Director of Consumer Affairs to issue an order classifying a substance as a CDS, when the delays occasioned by promulgating a regulation would constitute an imminent danger to public health or safety. The order signed yesterday will remain in effect for 270 days, or until a regulation is adopted. The administrative process of adopting a regulation includes a public hearing.

So-called "bath salts" designer drugs, containing one or more of the chemicals banned by the Order, have been sold in gas stations and smoke shops in New Jersey. They are also widely available over the Internet. Having no known legitimate use, the drugs are falsely labeled as "bath salts," "plant food," or other innocuous substances, and marked "Not For Human Consumption" in order to

1

conceal from law enforcement the true purpose of the substances.

The drugs have been sold with brand names such as "Energizing Aromatherapy," "Down2Earth White Horse," "Kamikaze," "Ivory Wave," "Purple Wave," "Red Dove," "Blue Silk," "Vanilla Sky," and many others.

"Shady retailers are playing a deadly game, selling highly dangerous drugs with fake labels like 'bath salts' or 'plant food' to evade the law," Attorney General Dow said. "No more. Here in New Jersey the game is over. Today, anyone who sells these drugs is committing a crime. We're taking these drugs off the streets in order to save lives."

Attorney General Dow also announced that individuals who voluntarily surrender the so-called "bath salts" designer drugs within the next 10 days – by the end of the day on May 8, 2011 – will not face criminal charges. This announcement is to encourage individuals and retailers to immediately hand over the drugs to their nearest State or local police station.

"Users may have believed this new breed of designer drug was somehow safer than cocaine or methamphetamines, simply because it wasn't specifically targeted by the law," Acting Director Calcagni said. "The disturbing reality is, these substances have been linked to severe health consequences and chilling acts of violence and self-mutilation. With only weeks to go before the start of the summer season, we are striking with this swift intervention in order to get these drugs out of retail establishments and away from anyone who might use them."

New Jersey is believed to be the third state to take expedited administrative action classifying the six so-called "bath salts" designer drug chemicals as Schedule I CDS, after Louisiana and Florida.

Legislation currently pending in the New Jersey Senate as S2829 would criminalize the possession and sale of products containing two of the so-called "bath salts" designer drug chemicals, specifically mephedrone and MDPV. Other states and jurisdictions have taken administrative action, enacted legislation, or proposed legislation to ban at least one of the chemicals used in these drugs.

"The real-world impact of these so-called 'bath salts' designer drugs is being seen in hospital emergency rooms across the country. These chemicals have no valid medical use and can only cause life-threatening harm to those who ingest them," said Dr. Christina Tan, Acting State Deputy Health Commissioner.

The Division of Consumer Affairs, with the assistance of the New Jersey Poison Information and Education System and local law enforcement, has been monitoring the increasing prevalence of these drugs within New Jersey.

Use of the drugs has spiked dramatically since the beginning of 2011. The New Jersey Poison Information and Education System has received 23 reports of the use of designer drugs labeled as "bath salts" since January 1, 2011, with over 60 percent of those reports coming from the counties of Monmouth, Middlesex, and Ocean. Half of the reports were received during the first three weeks of April; nearly all were so severe as to require emergency treatment in a healthcare facility, and more than half resulted in admission to a hospital.

"The intensity of these reports is alarming, especially given the unusually high number of cases within a short period of time, and the severity of their symptoms," said Dr. Steven M. Marcus, Medical and Executive Director of the New Jersey Poison Information and Education System. "Based on these concerns, this appears to be a crucial time for New Jersey to step in and ban these dangerous substances."

Nationwide, there were 1,782 calls to poison centers about designer drugs labeled as "bath salts" during the first four months of 2011 (as of April 20), compared with just 302 calls during all of 2010, according to the American Association of Poison Control Centers.

The Order of the Acting Director lists the following chemicals as Schedule I Controlled Dangerous Substances in New Jersey:

- 3,4 – Methylenedioxypropylamphetamine (MDPV)
- 4 – Methylmethcathinone (Mephedrone, 4-MMC)
- 3,4 – Methylenedioxymethcathinone (Methylone, MDMC)
- 4 – Fluoromethcathinone (Flephedrone, 4-FMC)
- 3 – Fluoromethcathinone (3-FMC)
- 4 – Methoxymethcathinone (Methedrone, bk-PMMA, PMMC)

The contents of individual packets of designer drugs labeled as “bath salts” vary, but have generally been found to include at least one of these chemicals. The chemicals are synthetic derivatives of cathinone, which is a Schedule I CDS under Federal law.

(NOTE: Despite being falsely labeled as “bath salts,” these drugs should not be confused with Epsom salts or other materials that are commonly and legitimately added to bath water. The Order announced today does not ban Epsom salts or other true bath salts).

For Further Information:

See the Order of the Acting Director and NJ Division of Consumer Affairs Fact Sheets, available at www.NJConsumerAffairs.gov:

- So-Called “Bath Salts” Designer Drugs: Statistics on Abuse in New Jersey
- So-Called “Bath Salts” Designer Drugs: Facts About Synthetic Cathinones
- So-Called “Bath Salts” Designer Drugs: Nationwide Efforts
- “WARNING” Flyer

To learn more about the Order of the Acting Director, or to report information about the manufacture, distribution, sale, or possession of designer drugs labeled as “bath salts,” contact the **NJ Division of Consumer Affairs**:

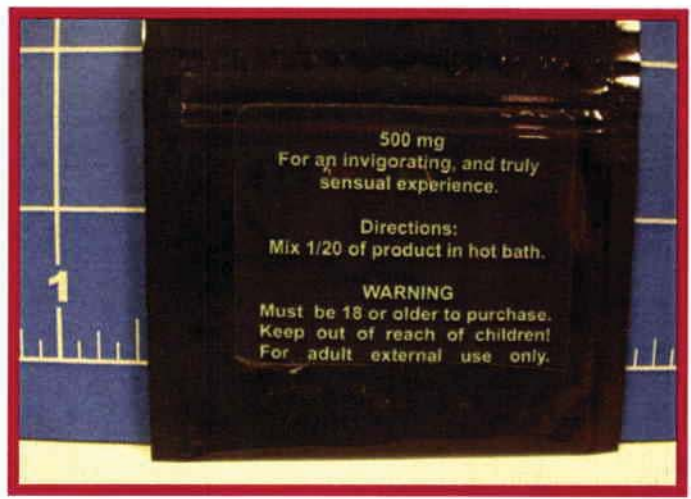
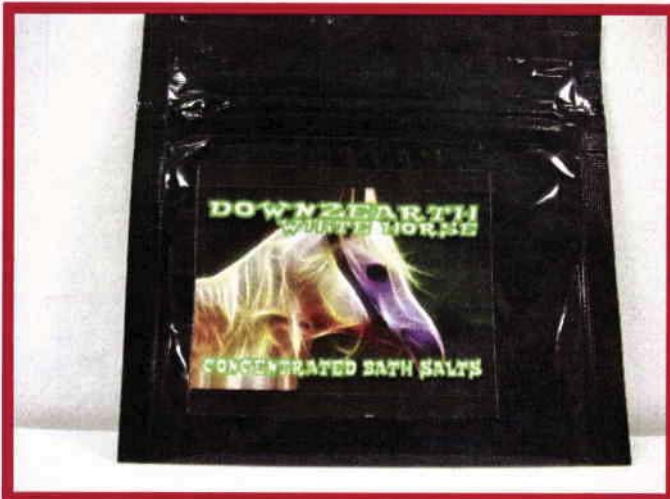
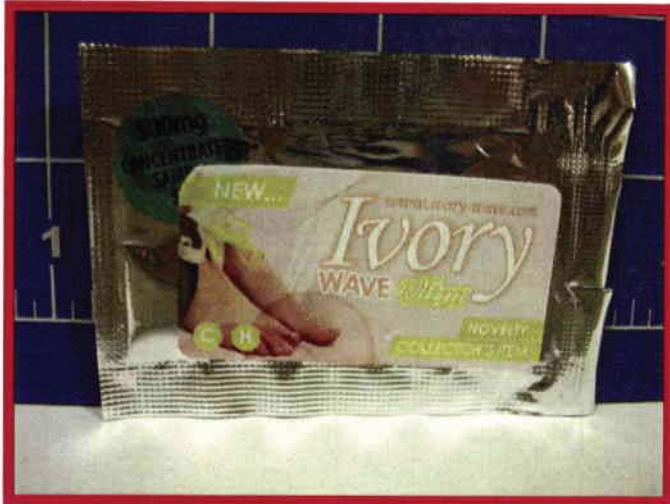
- Info hotline: **800-242-5846**
- Email: askconsumeraffairs@lps.state.nj.us
- Website: www.NJConsumerAffairs.gov

For any other questions related to these drugs, contact the **NJ Poison Information and Education System** hotline, **800-222-1222**.

For emergencies, dial **9-1-1**.

###

WARNING



New Jersey Office of the Attorney General
Division of Consumer Affairs
(973) 504-6200 • (800) 242-5846 • www.NJConsumerAffairs.gov



WARNING

The Acting Director of the State Division of Consumer Affairs has added the following chemicals to the Controlled Dangerous Substance Act as Schedule I drugs:



- 3,4 – Methylendioxyprovalerone (MDPV)
- 4 – Methylmethcathinone (Mephedrone, 4-MMC)
- 3,4 – Methylendioxymethcathinone (Methylone, MDMC)
- 4 – Fluoromethcathinone (Flephedrone, 4-FMC)
- 3 – Fluoromethcathinone (3-FMC)
- 4 – Methoxymethcathinone (Methedrone, bk-PMMA, PMMC)



It is now illegal to possess, distribute or manufacture products with these chemicals. Violators could face fines and imprisonment.

These chemicals are commonly found in products falsely labeled as **“BATH SALTS”** or **“PLANT FOOD,”** with brand names such as “Energizing Aromatherapy,” “Kamikaze,” “Ivory Wave,” “Purple Wave,” “Red Dove,” “Blue Silk,” “Vanilla Sky,” and many others.

These chemicals are associated with extreme, severe physical and psychological symptoms including:

- **Extreme anxiety, extreme paranoia, delusional thinking, and visual and auditory hallucinations;**
- **Violent outbursts, self-mutilation, and suicidal thoughts;**
- **Increased blood pressure and heart rate, severe chest pains, and jerky muscle movements.**



Individuals and retailers with these products should **contact their local law enforcement** to find out how to **safely and legally dispose of these drugs.**

For more information about this Warning, or to submit information on sale and distribution, contact the New Jersey Division of Consumer Affairs at 800-242-5846 (toll free within NJ), 973-504-6200, or askconsumeraffairs@dca.lps.state.nj.us.

For any other questions related to these drugs, contact the New Jersey Poison Information and Education System at 800-222-1222.

Call 9-1-1 for emergencies.



**New Jersey Office of the Attorney General
Division of Consumer Affairs**

(973) 504-6200 • (800) 242-5846 • www.NJConsumerAffairs.gov



SO-CALLED "BATH SALTS" DRUGS: NATIONWIDE EFFORTS

New Jersey is believed to be the third state to take expedited administrative action classifying the six so-called "bath salts" chemicals as Schedule 1 CDS, after Louisiana and Florida.

As of April 15, according to the National Conference of State Legislatures, a total of 15 states had taken action to ban at least one of the so-

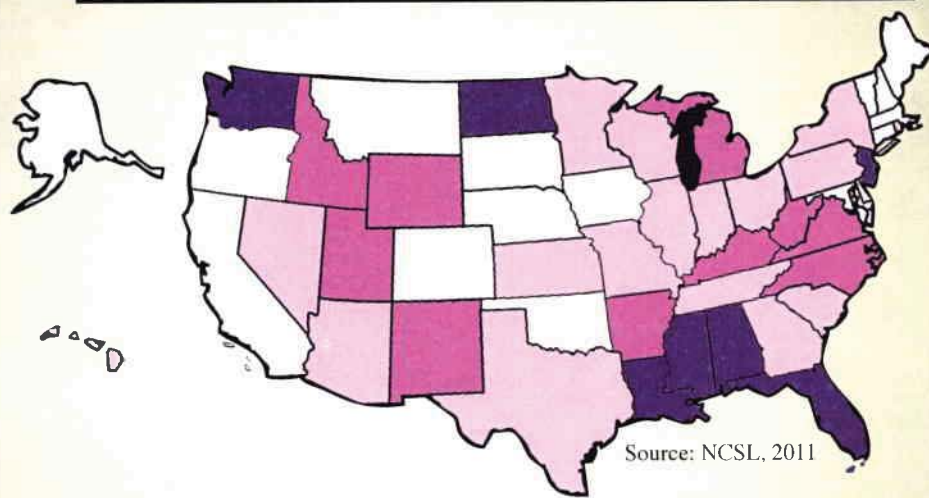
called "bath salts" drug chemicals, either through legislative or administrative action; and 31 state legislatures have introduced legislation to restrict these substances.

Poison control authorities in Louisiana have observed a significant decline in reported use after the six so-called "bath salts" drug chemicals were banned there.

MORE FACTS ON SO-CALLED "BATH SALTS"

- ▶ Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom have banned mephedrone and/or MDPV.
- ▶ Pending Federal legislation would ban at least two so-called "bath salts" drug chemicals.

STATE ACTION ON SO-CALLED "BATH SALTS" DRUGS



Source: NCSL, 2011

- States that have taken emergency action to ban at least two so-called "bath salts" drug chemicals
- States with current laws banning at least one so-called "bath salts" drug chemical
- States with pending legislation to ban at least one so-called "bath salts" drug chemical

BY THE NUMBERS

302

Calls received by U.S. poison control centers in 2010 related to so-called "bath salts" drugs

1782

Calls received in the first four months of 2011 related to so-called "bath salts" drugs

Source: American Association of Poison Control Centers

To learn more about so-called "bath salts" drugs here in New Jersey, visit: www.NJConsumerAffairs.gov

