

Appendix C: Federal Regulations

Federal Trafficking Penalties

Narcotics Penalties & Enforcement Act of 1986

<u>CSA</u>	<u>PENALTY</u>		<u>QUANTITY</u>	<u>DRUG</u>	<u>QUANTITY</u>	<u>PENALTY</u>	
and	2nd Offense	1st Offense	100-999 gm mixture	HEROIN	1 kg or more mixture	1st Offense	2nd Offense
	Not less than; not more than life	Not less than 5 years; not more than life.				Not less than 10 years; not more than life.	Not less than 20 years; not more than life.
	If death or serious injury, not less than life.	If death or serious injury, not less than 20 years; not more than life.	400-4,999 gm mixture	COCAINE	5 kg or more mixture	If death or serious injury, not less than 20 years; not more than life.	If death or serious injury, not less than life.
	Fine of not more than \$4 million individual; \$10 million other individual.		10-99 gm or 100-999 gm mixture	PCP	100 gm or more, or 1 kg or more mixture	Fine of not more than \$4 million individual; \$10 million other individual.	Fine of not more than \$8 million individual; \$20 million other than individual
			1-10 gm mixture	LSD	10 gm or more mixture		
			40-999 gm mixture	FENTANYL	400 gm or more mixture		
			10-99 gm mixture	FENTANYL ANALOGU E	100 gm or more mixture		

Appendix C: Federal Regulations (continued)

Possession of Drug Paraphernalia Purpose of Ingesting a Controlled Substance

To possess with intent to sell or deliver to manufacture; or to sell and/or deliver:

One year in prison and/or \$500 fine. (Misdemeanor)

Two years in prison and/or \$1,000 fine. (Misdemeanor)

-However-

Delivery of drug paraphernalia by a person over age eighteen to a person under age eighteen who is at least three years younger than defendant. Five years imprison and/or fine. (Felony)

Federal Trafficking Penalties - Marijuana Narcotics Penalties & Enforcement Act of 1986

<u>Quantity</u>	<u>Description</u>	<u>First Offense</u>	<u>Second Offense</u>
1,000 kg or more	MARIJUANA Mixture containing detectable quantity. **	Not less than 10 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine not more than \$4 million individual; \$10 million other than individual.	Not less than 20 years; not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual; \$20 million other than individual.
100-1,000 kg	MARIJUANA Mixture containing detectable quantity. **	Not less than 5 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine not more than \$2 million individual; \$5 million other than individual.	Not less than 10 years; not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual; \$10 million other than individual.
<u>50-100 kg</u> <u>10-100 kg</u> <u>1-100 kg</u> 100 or more plants	<u>MARIJUANA</u> <u>HASHISH</u> <u>HASHISH OIL</u> MARIJUANA	Not more than 20 years. If death or serious injury, not less than 20 years; not more than life. Fine \$1 million individual; \$5 million other than individual.	Not more than 30 years. IF death or serious injury, not less than life. Fine \$2 million individual; \$10 million other than individual.
<u>Less than 50 kg</u> Less than 10 kg	<u>MARIJUANA</u> HASHISH	Not more than 5 years. Fine not more than \$250,000 individual; \$1 million other than individual.	Not less than 10 years. Fine \$500,000 individual; \$2 million other than individual
<u>Less than 1 kg</u>	<u>HASHISH OIL</u>		

Federal Trafficking Penalties

Narcotics Penalties and Enforcement

Drug- Others * Does Not include Marijuana or Hashish Oil.

Quantity- Any

First offense - Not more than 20 years. If death or serious injury occurs , not less than 20 years ; not more than life. Fine 1 million individual; \$ 5 million not individual

Second offense- Not More than 30 years . If death or serious injury , Life. Fine 2 million individual: \$19 million not individual.

Sch. III

Drug –All

Quantity-Any

First Offense- Not more than 5 years. Fine not more than \$250,000 individual \$1 million not individual.

Second Offense- Not more than 1 years. Fine not more than \$500,000 individual; \$2million not individual.

Sch. IV

Drug –All

Quantity_ Any

First Offence_ Not more than 6 years. Fine not more than \$250,000 individual \$1 million not individual.

Second Offense- Not more than 8 years. Fine not more than \$500,000 individual; \$2 million not individual.

Sch. V

Drug –All

Quantity_ Any

First Offence_ Not more than 1 year. Fine not more than \$100,000 individual \$250,000 not individual.

Second Offense- Not more than 2 years. Fine not more than \$200,000 individual; \$500,000 not individual.

Appendix C: Federal Regulations (continued)

Counterfeit Controlled Substances

To create, Sell, or Possess with Intent to Sell or Deliver a Counterfeit Controlled Substance. (Any substance that is represented as a controlled substance.) **Maximum Penalty:**
Five years in prison and/or fine.

For Your Information

If any person commits a controlled substance violation in which the punishment includes imprisonment for not more than two years and if he/she has been previously convicted for one or more controlled substance violations, he/she shall be punished as a Class I Felon. Up to five years in prison and/or fine.

If the violation includes imprisonment for not more than six months in prison and if he/she has been previously convicted of one or more then two years and/or maximum fine of \$2,000.

Any person eighteen years of age or older who sells or delivers any controlled substance to a person under sixteen years of age shall be punished as a Class E Felon. Up to thirty years in prison and/or fine.