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ATTORNEY GENERAL MADIGAN: LEGISLATURE PASSES BILL TO COMBAT SYNTHETIC DRUGS

AG Investigators, Local Law Enforcement Remove Over \$500,000 Worth of Synthetic Drugs from Stores Statewide

Springfield — Attorney General Lisa Madigan today applauded state lawmakers for passing a bill that will help combat the spread of synthetic drugs in Illinois.

The bill, which Attorney General Madigan's office helped craft, targets the retail sale of synthetic drugs by defining a "synthetic drug product" as containing a controlled substance not regulated by the U.S. Food and Drug Administration. HB 5233 also addresses how these drugs are packaged and sold, often with misleading claims that the products are legal and "not intended for human consumption." The legislation would make it illegal under the Illinois Food, Drug and Cosmetics Act to sell any form of synthetic drugs in Illinois.

"With drug makers continually reformulating these toxic substances, our state laws can quickly become outmoded when new variations arrive in stores," Madigan said. "This bill seeks to end the game of 'catch up' by classifying as illegal any chemical that's sold to be taken as a drug, regardless of what it's called or how it's labeled."

Sen. Kwame Raoul sponsored the measure in the Illinois Senate. House Bill 5233 now goes to the governor for consideration.

"Too often, our drug laws lag behind the development of new varieties of recreational drugs and new strategies for marketing them," Sen. Raoul said. "This legislation clarifies the law on synthetic drugs so that retailers know when they sell these products, whether they contain controlled substances or are mislabeled, they will face criminal penalties and risk losing their businesses."

The bill also significantly increases the penalty for selling synthetic drug products or misbranded drugs.

"As a former police officer who understands how illegal drugs can decimate communities, I enthusiastically sponsored this legislation on behalf of Attorney General Madigan," said House sponsor Rep. Jerry Costello II. "This legislation directs our focus to those involved in making and distributing constantly evolving drug concoctions."

"Operation Smoked Out" Update

In addition to proposing this legislation, Attorney General Madigan is working with local law enforcement agencies throughout the state to address the growing use of synthetic drugs, particularly among teens and young adults. In December 2011, Madigan launched retail store sweeps, known as "Operation Smoked Out," shortly after hosting the state's first emergency summit to increase awareness of synthetic drugs. Since the retail store visits began, store owners across the state have relinquished nearly 25,000 packages of synthetic drugs and bath salts with a street value of almost \$544,000.

These efforts come at a time when Poison Control Centers across the country have reported a dramatic increase in calls about synthetic marijuana and "bath salts," another type of synthetic drug that contains chemical compounds that mimic the effects of cocaine or methamphetamine. In 2010, Poison Control Centers nationwide received 2,915 calls related to synthetic marijuana use. That figure jumped to 6,890 calls in 2011. Reports of bath salts were made 303 times to Poison Control Centers in 2010. A year later, the centers received 6,072 calls about bath salts.

States, including Illinois, initially responded to the rise of synthetic drug use by passing laws that banned specific formulas of synthetic marijuana and bath salts. Drug makers attempted to sidestep these laws by replacing the banned chemicals with new formulas. A new Illinois law that went into effect on Jan. 1, 2012, takes a broader approach and bans all chemicals that are

structural derivatives of the previously banned chemicals. The measures proposed in House Bill 5233 seeks to complement the new law.

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