

the authorities of such country will permit the importation of the particular drug for such purpose.

(c) Nonnarcotic controlled substances in schedule I or II

It shall be unlawful to export from the United States any nonnarcotic controlled substance in schedule I or II unless—

(1) it is exported to a country which has instituted and maintains a system which the Attorney General deems adequate for the control of imports of such substances;

(2) the controlled substance is consigned to a holder of such permits or licenses as may be required under the laws of the country of import;

(3) substantial evidence is furnished to the Attorney General that (A) the controlled substance is to be applied exclusively to medical, scientific, or other legitimate uses within the country to which exported, (B) it will not be exported from such country, and (C) there is an actual need for the controlled substance for medical, scientific, or other legitimate uses within the country; and

(4) a permit to export the controlled substance in each instance has been issued by the Attorney General.

(d) Exception for exportation for special scientific purposes

Notwithstanding subsection (c) of this section, the Attorney General may authorize any nonnarcotic controlled substance in schedule I or II to be exported from the United States if the particular substance is to be applied to a special scientific purpose in the country of destination and the authorities of such country will permit the importation of the particular drug for such purpose.

(e) Nonnarcotic controlled substances in schedule III or IV; controlled substances in schedule V

It shall be unlawful to export from the United States to any other country any nonnarcotic controlled substance in schedule III or IV or any controlled substances in schedule V unless—

(1) there is furnished (before export) to the Attorney General documentary proof that importation is not contrary to the laws or regulations of the country of destination for consumption for medical, scientific, or other legitimate purposes;

(2) it is exported pursuant to such notification or declaration, or in the case of any nonnarcotic controlled substance in schedule III, such export permit, notification, or declaration as the Attorney General may by regulation prescribe; and

(3) in the case of a nonnarcotic controlled substance in schedule IV or V which is also listed in schedule I or II of the Convention on Psychotropic Substances, it is exported pursuant to such export permit requirements, prescribed by regulation of the Attorney General, as are required by the Convention.

(Pub. L. 91-513, title III, §1003, Oct. 27, 1970, 84 Stat. 1286; Pub. L. 95-633, title I, §106, Nov. 10, 1978, 92 Stat. 3772; Pub. L. 98-473, title II, §522, Oct. 12, 1984, 98 Stat. 2076.)

REFERENCES IN TEXT

Schedules I, II, III, IV and V, referred to in text, are set out in section 812(c) of this title.

AMENDMENTS

1984—Subsec. (e). Pub. L. 98-473 in cl. (1) inserted provisions for consumption for medical, etc., purposes, added cls. (2) and (3), and struck out former cls. (2) to (4), respectively, relating to a special controlled substance invoice, two additional copies of the invoice, and exportation of a nonnarcotic controlled substance in schedule III, IV, or V, also listed in schedule I or II of the Convention.

1978—Subsec. (e)(4). Pub. L. 95-633 added par. (4).

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-633 effective on date the Convention on Psychotropic Substances enters into force in the United States [July 15, 1980], see section 112 of Pub. L. 95-633, set out as an Effective Date note under section 801a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 954, 956, 960 of this title; title 18 section 5032; title 48 section 1972.

§ 954. Transshipment and in-transit shipment of controlled substances

Notwithstanding sections 952, 953, and 957 of this title—

(1) A controlled substance in schedule I may—

(A) be imported into the United States for transshipment to another country, or

(B) be transferred or transshipped from one vessel, vehicle, or aircraft to another vessel, vehicle, or aircraft within the United States for immediate exportation,

if and only if it is so imported, transferred, or transshipped (i) for scientific, medical, or other legitimate purposes in the country of destination, and (ii) with the prior written approval of the Attorney General (which shall be granted or denied within 21 days of the request).

(2) A controlled substance in schedule II, III, or IV may be so imported, transferred, or transshipped if and only if advance notice is given to the Attorney General in accordance with regulations of the Attorney General.

(Pub. L. 91-513, title III, §1004, Oct. 27, 1970, 84 Stat. 1287.)

REFERENCES IN TEXT

Schedules I, II, III, and IV, referred to in text, are set out in section 812(c) of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 956, 961 of this title.

§ 955. Possession on board vessels, etc., arriving in or departing from United States

It shall be unlawful for any person to bring or possess on board any vessel or aircraft, or on board any vehicle of a carrier, arriving in or departing from the United States or the customs territory of the United States, a controlled substance in schedule I or II or a narcotic drug in schedule III or IV, unless such substance or drug is a part of the cargo entered in the manifest or part of the official supplies of the vessel, aircraft, or vehicle.

(Pub. L. 91-513, title III, §1005, Oct. 27, 1970, 84 Stat. 1287.)

REFERENCES IN TEXT

Schedules I, II, III, and IV, referred to in text, are set out in section 812(c) of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 956, 960 of this title; title 18 sections 5032, 5038; title 28 section 994.

§§ 955a to 955d. Transferred

CODIFICATION

Sections, Pub. L. 96-350, §§1-4, Sept. 15, 1980, 94 Stat. 1159, 1160, relating to maritime drug law enforcement, were transferred to sections 1901 to 1904 of Title 46, Appendix, Shipping.

§ 956. Exemption authority

(a) Individual possessing controlled substance

The Attorney General may by regulation exempt from sections 952(a) and (b), 953, 954, and 955 of this title any individual who has a controlled substance (except a substance in schedule I) in his possession for his personal medical use, or for administration to an animal accompanying him, if he lawfully obtained such substance and he makes such declaration (or gives such other notification) as the Attorney General may by regulation require.

(b) Compound, mixture, or preparation

The Attorney General may by regulation except any compound, mixture, or preparation containing any depressant or stimulant substance listed in paragraph (a) or (b) of schedule III or in schedule IV or V from the application of all or any part of this subchapter if (1) the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant or stimulant effect on the central nervous system, and (2) such ingredients are included therein in such combinations, quantity, proportion, or concentration as to vitiate the potential for abuse of the substances which do have a depressant or stimulant effect on the central nervous system.

(Pub. L. 91-513, title III, §1006, Oct. 27, 1970, 84 Stat. 1288.)

REFERENCES IN TEXT

Schedules I, III, IV, and V, referred to in text, are set out in section 812(c) of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 957 of this title.

§ 957. Persons required to register

(a) Coverage

No person may—

(1) import into the customs territory of the United States from any place outside thereof (but within the United States), or import into the United States from any place outside thereof, any controlled substance or list I chemical, or

(2) export from the United States any controlled substance or list I chemical,

unless there is in effect with respect to such person a registration issued by the Attorney Gen-

eral under section 958 of this title, or unless such person is exempt from registration under subsection (b) of this section.

(b) Exemptions

(1) The following persons shall not be required to register under the provisions of this section and may lawfully possess a controlled substance or list I chemical:

(A) An agent or an employee of any importer or exporter registered under section 958 of this title if such agent or employee is acting in the usual course of his business or employment.

(B) A common or contract carrier or warehouseman, or an employee thereof, whose possession of any controlled substance or list I chemical is in the usual course of his business or employment.

(C) An ultimate user who possesses such substance for a purpose specified in section 802(25)¹ of this title and in conformity with an exemption granted under section 956(a) of this title.

(2) The Attorney General may, by regulation, waive the requirement for registration of certain importers and exporters if he finds it consistent with the public health and safety; and may authorize any such importer or exporter to possess controlled substances or list I chemicals for purposes of importation and exportation.

(Pub. L. 91-513, title III, §1007, Oct. 27, 1970, 84 Stat. 1288; Pub. L. 98-473, title II, §523, Oct. 12, 1984, 98 Stat. 2076; Pub. L. 103-200, §3(e), Dec. 17, 1993, 107 Stat. 2337.)

REFERENCES IN TEXT

Section 802(25) of this title, referred to in subsec. (b)(1)(C), was redesignated section 802(26) of this title by Pub. L. 98-473, title II, §507(a), Oct. 12, 1984, 98 Stat. 2071, and was further redesignated section 802(27) of this title by Pub. L. 99-570, title I, §1003(b)(2), Oct. 27, 1986, 100 Stat. 3207-6.

AMENDMENTS

1993—Subsec. (a)(1). Pub. L. 103-200, §3(e)(1)(A), inserted “or list I chemical” after “controlled substance”.

Subsec. (a)(2). Pub. L. 103-200, §3(e)(1)(B), substituted “or list I chemical,” for “in schedule I, II, III, IV, or V,”.

Subsec. (b)(1). Pub. L. 103-200, §3(e)(2)(A), inserted “or list I chemical” after “controlled substance” in introductory provisions and subpar. (B).

Subsec. (b)(2). Pub. L. 103-200, §3(e)(2)(B), inserted “or list I chemicals” after “controlled substances”.

1984—Subsec. (a)(2). Pub. L. 98-473 inserted reference to schedule V.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-200 effective on date that is 120 days after Dec. 17, 1993, see section 11 of Pub. L. 103-200, set out as a note under section 802 of this title.

PROVISIONAL REGISTRATION

Section 1104 of Pub. L. 91-513, as amended by Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095, provided that:

“(a)(1) Any person—

“(A) who is engaged in importing or exporting any controlled substance on the day before the effective date of section 1007 [May 1, 1971],

“(B) who notifies the Attorney General that he is so engaged, and

¹ See References in Text note below.