

Greetings - I thought you all should see the latest in the reality check on the war on cold pills - no one seems particularly pleased with these developments, but until the law is changed, retailers are going to be forced to comply somehow with these regs ...

There certainly may be some inequities in how these penalties are applied - but the bottom line is that these 'stings' are likely to persist, and you need to be protected in the best manner possible - the Legal Age CMA program is the most cost-effective and comprehensive approach in the US today, to collect this data quickly and accurately and protect yourself ...

It is also worth noting that GA is the only state now that does not have electronically readable DL's, not until summer 2007 thanks, DD

San Francisco Chronicle



Debra J. Saunders

'Cooking up' a panic

[Debra J. Saunders](#)

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THE LATEST insanity in the war on drugs comes to you from Georgia. As the New York Times reported last week, the feds arrested 49 convenience store clerks and owners -- essentially for selling legal cold and allergy pills.

"Operation Meth Merchant" is the government's way of making store clerks act as drug-enforcement agents -- or if they don't, they could face jail time. The feds enticed informers to tell the clerks they were buying cold pills or other products so they could "cook up" methamphetamines. That would make the store clerks guilty of a crime, if they knowingly sold to would-be meth-makers.

Most of the defendants are Indian immigrants who don't understand English particularly well -- and certainly don't know American slang. They're not drug dealers. They're working stiff -- yet they face sentences of up to 20 years in prison.

"We really wanted to send the message that if you get into that line of business, selling products that you know are going to be used to make meth, you're going to prison," U.S. Attorney David Nahmias told the New York Times.

Sorry, the feds should save prison for real drug dealers and stop scaring the daylights out of law-abiding immigrants. Several of the defendants refused to sell customers more than two bottles of cold pills, so they were charged with selling another two bottles to the same customers the next day.

"It's just a continuing strategy -- that we have to have a drug panic," noted former San Jose Police Chief Joseph McNamara, now a fellow at the Hoover Institution. When he first became a cop, the big target for law enforcement was marijuana. "I remember the crackdown on pipes and the paraphernalia," he added. "The hysteria has to be maintained. The public alarm has to be maintained. And they have a real problem because some people, including myself, think the threat of terrorism is a lot worse than busting about 650,000 people a year for pot."

No lie. The feds are arresting convenience-store clerks selling cold pills when they should be investigating possible terrorist cells.

Then there's the fairness issue. Bill Piper of the anti-drug war Drug Policy Alliance noted that Walgreens agreed to pay a \$1.3 million fine for selling over-the-counter cold medicine to a Texas methamphetamine dealer: "They have two standards, one for corporate chains and one for independent store owners -- basically giving fines to corporate chains while arresting the independent store owners."

Last month, the Senate Judiciary Committee passed a measure by Sens. Dianne Feinstein, D-Calif., and Jim Talent, R-Mo., that would require stores to keep cold medicines with pseudoephedrine behind the counter and limit the amount one person can buy to about 250 pills a month. Feinstein spokesman Howard Gantman explained, "We hope that this legislation will provide a clear signal to the pharmaceutical industry that alternatives to pseudoephedrine should be found. Companies sell cold medications in Europe without pseudoephedrine, and the same could be true here."

Even Bill Piper sees the behind-the-counter requirement and purchase limits as reasonable regulations. But the bill goes too far in requiring consumers to sign a logbook and show identification to buy Sudafed.

Sorry, senators, but that some of us have allergies is not Uncle Sam's business.

Piper notes other products that can be used to make methamphetamine -- rubbing alcohol, brake fluid, rock salt -- then asks, "Are we going to require shoppers to show IDs and give stores their names and addresses to buy those products, too?"

Oregon lawmakers passed a measure that will force consumers to get prescriptions to buy Sudafed.

It makes no sense. First the push to make emergency contraception available over the counter and now a law to make you see a doctor to get allergy medicine?

McNamara, who believes the government should end this modern prohibition on drugs, said, "There's no end to this, once you begin to do something you shouldn't be doing in the first place."

Certainly it has come to this: Prosecutors are treating innocent store clerks as if they are drug dealers; the Feinstein bill treats law-abiding citizens as if they are lawbreakers. If you want to treat a cold or allergies, you have to check with the government. When drug warriors go after people who aren't drug users or dealers, they've made the conscious decision to treat innocent people like the enemy.

E-mail: dsaunders@sfnchronicle.com.

DAVID S. DWIGHT
Aztec ATM/ACH
2412 Alvin St.
Mtn. View, CA 94043
Direct 650 964 3331
Toll-free 877 874 0323
Cell 650 444 1293
e-fax 603 484 0390