



BERGESON & CAMPBELL, P.C.

1203 Nineteenth Street, NW | Suite 300 | Washington, DC | 20036-2401 | tel 202.557.3800 | fax 202.557.3836 | web www.lawbc.com

MEMORANDUM

Via E-Mail

DATE: July 24, 2009
TO: Firm Clients and Friends
FROM: Bergeson & Campbell, P.C.
RE: UK Government Proposes Controls on Two Industrial Chemicals

Earlier today, we circulated a memorandum on the government of the United Kingdom's (UK) proposed controls on two important industrial chemicals -- 1,4-Butanediol (CAS Number 110-63-4) and Gamma-butyrolactone (CAS Number 96-48-0). We neglected to note that the regulation is proposed pursuant to the Misuse of Drugs Act 1971 due to the misuse of these substances as the result of the similarity of their effects, when ingested, to gamma-hydroxybutyrate (GHB), commonly known as the "date-rape" drug.

Gamma-butyrolactone and 1,4-Butanediol are, according to the UK, pro-drugs of GHB, meaning that when either substance is ingested, it is rapidly converted to GHB. The UK states its "concern" that users of GHB are switching to Gamma-butyrolactone and 1,4-Butanediol use as a consequence of GHB control under the 1971 Act, but acknowledges that the evidence is limited. The UK government is proposing that the two chemicals be considered as Class C substances under the Misuse of Drugs Act 1971, and that they be placed in Schedule 1 under the Misuse of Drugs Regulations 2001.

The UK notes that 1,4-Butanediol and Gamma-butyrolactone "have a wide variety of legitimate uses, which have a reputation for being safe and environmentally friendly." The controls proposed by the UK authorities vary and range from a complete ban on industrial uses, which the authorities acknowledge "would have the highest impact on industry, where it would necessitate finding alternative chemicals and removing otherwise legitimate products from the shop shelves," to placing controls on supply for human consumption.

The UK government is accepting comments on the proposal until **August 13, 2009**. The UK government proposal is available on the Internet at <http://www.homeoffice.gov.uk/documents/cons-2009-gbl/>.

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We hope this information is helpful. As always, please call if you have any questions.