



## United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

August 8, 2014

The Honorable Patti B. Saris  
Chair  
United States Sentencing Commission  
One Columbus Circle, N.E.  
Suite 2-500  
Washington, DC 20002-8002

Dear Chair Saris:

I write to urge the Sentencing Commission to prioritize examining whether to amend the sentencing guidelines to increase penalties for drug offenders who flavor or market a controlled substance to entice minors to purchase the controlled substance.

For years, law enforcement has seen drug dealers combine drugs with chocolate or fruit flavors and package the drug products to look like actual candy and soda. For example, last October, police seized more than 40 pounds of THC-laced candy from a campus apartment at West Chester University, outside of Philadelphia. This candy was vividly colored, in a virtual rainbow assortment—pink, yellow, orange, blue, and red.

Many recent incidents involve methamphetamine, a drug whose users face a “very high” risk of “developing psychotic symptoms — hallucinations and delusions,” according to a recent Harvard Medical School publication. In March 2012, police in Chicago warned parents about a drug that “looks and smells like candy,” called “strawberry quick” or “strawberry meth.” Because of the drug’s similarity to candy, police urged parents to tell their children not to take candy from anyone, even a classmate.

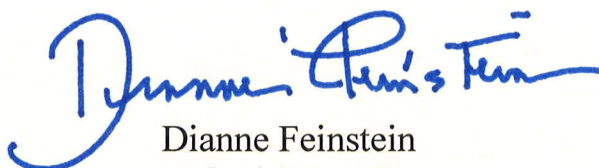
The practice of flavoring or coloring a drug to appeal to youth is especially dangerous because it deceives the young customer into believing that he or she is not actually ingesting drugs, or at least not ingesting drugs that are as potent or

dangerous as non-flavored drugs. Despite the clear dangers posed by such drugs, under current federal law, including the sentencing guidelines, there is no enhanced penalty for a person who alters a controlled substance to make the drug more appealing to youth.

I would note that legislation I have introduced that would increase sentences for the manufacture of drugs that have been candied or flavored to entice minors (S. 1686, the “Saving Kids From Dangerous Drugs Act of 2013”) has been endorsed by the Community Anti-Drug Coalitions of America, Federal Law Enforcement Officers Association, Fraternal Order of Police, Major Cities Chiefs Association, Major County Sheriffs’ Association, National District Attorneys Association, National HIDTA Directors Association, and National Sheriffs’ Association.

It is important that penalties for those that flavor or color a drug to appeal to minors be increased, so that they are commensurate with the additional harm caused by this practice. Thank you for your consideration of this request.

Sincerely yours,



Dianne Feinstein  
United States Senator

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