

Drug Enforcement Administration
Diversion Control Division
Guidance Document

Title: Disposal of Controlled Substances

Summary: This guidance document, will be sent via email to all Drug Enforcement Administration registrants to provide clarification for disposal.

Activity: Disposal of Controlled Substances

To Whom It Applies: DEA-Registrants

Dear Registrant,

It has come to the Drug Enforcement Administration's (DEA) attention that some registrants are mailing unauthorized shipments of controlled substances to DEA's warehouse in Springfield, Virginia, for disposal. **Registrants should not send unauthorized shipments of controlled substances to the DEA at this address for disposal.** Instead, registrants have several options for disposal as outlined in [21 CFR part 1317](#).

Under [21 CFR 1317.05\(a\)](#), practitioner registrants may dispose of their inventory in one of the following ways:

- (1) Promptly destroy that controlled substance in accordance with [subpart C of 21 CFR 1317](#) using an on-site method of destruction;
- (2) Promptly deliver that controlled substance to a reverse distributor's registered location by common or contract carrier pick-up or by reverse distributor pick-up at the registrant's registered location;
- (3) For the purpose of return or recall, promptly deliver that controlled substance by common or contract carrier pick-up or pick-up by other registrants at the registrant's registered location to: the registered person from whom it was obtained, the registered

manufacturer of the substance, or another registrant authorized by the manufacturer to accept returns or recalls on the manufacturer's behalf; or

- (4) Request assistance from the Special Agent in Charge (SAC) of DEA in the [area in which the practitioner is located](#). A copy of the DEA-Form 41 must be sent to the SAC for consideration, which lists the controlled substances the practitioner wants to dispose of.

The SAC may advise the practitioner to do one of the following:

- Transfer the controlled substances to a registrant authorized to transport or destroy the substances;
- Deliver the controlled substances to a DEA agent or to the nearest office of DEA; or
- Destroy the controlled substances in the presence of a DEA agent or other authorized person.

Under [21 CFR 1317.05\(b\)](#), non-practitioner registrants may dispose of unwanted controlled substances in one of the following ways:

- (1) Promptly destroy that controlled substance in accordance with [subpart C of 21 CFR 1317](#) using an on-site method of destruction;
- (2) Promptly deliver that controlled substance to a reverse distributor's registered location by common or contract carrier pick-up or by reverse distributor pick-up at the registrant's registered location;
- (3) For the purpose of return or recall, promptly deliver that controlled substance by common or contract carrier or pick-up at the registrant's registered location to: the registered person from whom it was obtained, the registered manufacturer of the substance, or another registrant authorized by the manufacturer to accept returns or recalls on the manufacturer's behalf; or

(4) Promptly transport that controlled substance by its own means to the registered location of a reverse distributor, the location of destruction, or the registered location of any person authorized to receive that controlled substance for the purpose of return or recall as described in paragraph (b)(3) of this section.

- (i) If a non-practitioner transports controlled substances by its own means to an unregistered location for destruction, the non-practitioner shall do so in accordance with the procedures set forth at [21 CFR 1317.95\(c\)](#).
- (ii) If a non-practitioner transports controlled substances by its own means to a registered location for any authorized purpose, transportation shall be directly to the authorized registered location and two employees of the transporting non-practitioner shall accompany the controlled substances to the registered destination location. Directly transported means the substances shall be constantly moving towards their final location and unnecessary or unrelated stops and stops of an extended duration shall not occur.

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or department policies.

For more information regarding DEA's Diversion Control Division, please visit www.DEAdiversion.usdoj.gov. If you have any additional questions on this issue, please contact the Diversion Control Policy Section at 571-362-3260 or email them at ODLP@dea.gov.

Sincerely,

Claire M. Brennan
Acting Deputy Assistant Administrator
Diversion Control Division

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