

Texas A&M AgriLife Extension Service Procedures

15.99.99.X0.02 | Controlled Substances, Controlled Items, and
Controlled Glassware

Approved: December 17, 2019

Next Scheduled Review: December 17, 2024

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PROCEDURE SUMMARY

Texas A&M AgriLife Extension Service (Extension) must comply with state and federal requirements for controlled substances, chemical precursors, and chemical controlled glassware used in education or Extension activities. This procedure provides guidance for maintaining and purchasing records, guidance on disposal, and acceptable security of precursor chemicals and specific controlled glassware pursuant to the federal Drug Enforcement Agency (DEA) and the [Memorandum of Understanding](#) (MOU) between the Texas Department of Public Safety (DPS) and the Texas Higher Education Coordinating Board (THECB).

PROCEDURES AND RESPONSIBILITIES

1.0 Licensing

It is the responsibility of the Principal Investigator (PI) who purchases or works with controlled substances to obtain a DEA Controlled Substance Researcher registration or license. PIs must adhere to applicable state and federal regulatory requirements when working with controlled substances. Click [here](#) for DEA registration information.

2.0 Recordkeeping and Retention Requirements for Purchases

Purchase order records for items listed in the MOU must be retained for a period of time as required by Texas A&M AgriLife's Record Retention Schedule. It is the responsibility of the employee who purchases these items to make these records available to the Texas Department of Public Safety (DPS) as requested. Upon request, the responsible party, i.e., a PI or other Extension employee who purchases Precursor Chemicals or controlled glassware as listed in the Definitions section, is responsible for making these records available to the Texas Department of Public Safety (DPS).

2.1 Extension employees who accept or receive controlled substances, items, or glassware (e.g., transfer from colleagues or brought/transferred from another institution) are responsible for retaining records of receipt including date of receipt, amount received and person or entity from whom the item was received.

3.0 Procedures for Transfer or Disposal of Controlled Substances, Precursor Chemicals, and Controlled Glassware

3.1 Controlled substances can only be transferred between parties that hold a valid DEA registration. Documentation must include party names, contact information and DEA registration numbers of the shipper and receiver, substance name, strength, quantity, form, schedule of substance, and the date the transfer is taking place.

3.2 Controlled substances should be disposed of in accordance with the [DEA Registrant Drug Disposal](#) or returned to a reputable return company (reverse distributor).

3.3 Precursor chemicals should be disposed of in accordance with procedure [24.01.01.A0.11, Hazardous Chemical Waste Disposal](#).

- 3.4 If the responsible party wishes to transfer controlled glassware or items listed in these guidelines, the transfer or sales form (Nar-22) must be completed and submitted to the AgriLife Safety Officer for review and approval. The responsible party shall then report to DPS on a Nar-22 form, every sale, furnishing or transfer (excluding disposal) of a controlled item or glassware leaving the facility and must then submit these reports to DPS within 30 days of the furnishing or transfer of the controlled items or glassware. This report shall include the name, address, telephone number, permit number, driver license number and date of birth of the recipient of the controlled items.

4.0 Security and Storage Procedures

The responsible party is required to provide reasonable security, as set forth in this section, for controlled substances, items, and controlled glassware in accordance with the MOU and other state, federal, or agency requirements.

- 4.1 Specific locations (e.g., research/teaching areas, storage areas or stockrooms assigned to the responsible party) should establish reasonable security appropriate for the area where controlled items are utilized or stored using a cost-effective means that affords a reasonable sense of safety and accountability. Additionally, controlled substances and precursor chemicals should be stored in accordance with recommendations of the manufacturer, the Texas Commission on Environmental Quality (TCEQ) and the Federal Environmental Protection Agency (EPA).
- 4.2 All doors must be locked when the room containing controlled items is not occupied.
- 4.3 Authorized personnel must be alert to any unauthorized personnel entering laboratories containing controlled items, and appropriate action must be taken to assure the security of the controlled items when visitors are present.
- 4.4 Authorized personnel must be alert and attentive to the disappearance of any controlled items and must report losses to the local law enforcement authorities and center directors immediately (within the next business day) upon the discovery of the loss.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

Memorandum of Understanding (MOU) between the Texas Department of Public Safety (DPS) and the Texas Higher Education Coordinating Board (THECB) <http://www.thecb.state.tx.us/reports/PDF/1210.PDF>

[System Regulation 61.99.01, Retention of State Records](#)

DEFINITIONS

Memorandum of Understanding (MOU) -The Texas Coordinating Board and the Texas Department of Public Safety signed this agreement in October 1995 (and resigned in August 2006) per Texas Health and Safety Code Section 481.0621(b) establishing procedures for monitoring controlled substances, controlled substance analogues, chemical precursors and chemical controlled glassware used in educational or Extension activities of institutions of higher education. Extension must comply with the terms of this agreement. <http://www.thecb.state.tx.us/DocID/PDF/1210.PDF>

Controlled Glassware – condensers; distilling apparatus; vacuum dryers; single, two-and three-necked flasks; distilling flasks; Florence flasks; filter funnels; Buchner funnels; separatory funnels; Erlenmeyer flasks; round-bottom flasks; thermometer flasks; filtering flasks; Soxhlet extractors; and adapter tubes made of glass

Controlled Item – precursor chemicals and controlled glassware listed in Texas Health and Safety Code Section 481.002 (51) and 481.002 (53) and as named by rule by the Director of the Department of Public Safety pursuant to the Texas Health and Safety Code Section 481.077(b) and 481.080(c).

Controlled Substance – a substance, including a drug, an adulterant and a dilutant as defined by the Health and Safety Code, Chapter 481, the Texas Controlled Substances Act.

Precursor Chemicals: Methylamine; Ethylamine; D-lysergic acid; Ergotamine tartrate; Diethyl malonate; Malonic acid; Ethyl malonate; Barbituric acid; Piperidine; N-acetylanthranilic acid; Pyrrolidine; Phenylacetic acid; Anthranilic acid; Hypophosphorous acid; Ephedrine; Pseudoephedrine; Norpseudoephedrine; Phenylpropanolamine; and Red Phosphorous.

CONTACT OFFICE

Questions regarding this rule should be referred to the AgriLife Safety Officer at 979-862-4038.

REVISION HISTORY

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APPROVED: _____
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