



# Compliance Guide – Chemical Precursors and Laboratory Apparatus



# Legal Basis

- Control of chemical precursors and laboratory apparatus is codified in Texas Health & Safety Code, Subtitle C, Chapter 481
- Exception for higher education (§481.0621) requires the Texas Higher Education Coordinating Board (THECB) to adopt a memorandum of understanding (MOU) with the Texas Department of Public Safety (DPS)
  - Establishes responsibilities of higher education
  - MOU is renewed every 5 years
  - MOU is clear and concise



# WHY? To Deter or Prevent This



# Definitions (HSC §481.002)

- (22) "Immediate precursor" – a substance that:
- Is a principal compound commonly used in manufacture of a controlled substance;
  - Is a chemical intermediary used in manufacture of a controlled substance; and/or
  - Is a substance the control of which is necessary to prevent, curtail, or limit manufacture of a controlled substance.
- (53) "Chemical laboratory apparatus" – any equipment designed, made, or adapted to manufacture
- A controlled substance or
  - A controlled substance analogue



# The List of Regulated Precursors

Chemical Name	CAS No.
Methylamine	74-89-5
Ethylamine	75-04-7
D-Lysergic acid	82-58-6
Ergotamine tartrate	379-79-3
Diethyl malonate	105-53-3
Malonic acid	141-82-2
Ethyl malonate	105-53-3
Barbituric acid	67-52-7

Chemical Name	CAS No.
Piperidine	110-89-4
N-Acetyl anthranilic acid	89-52-1
Pyrrolidine	123-75-1
Phenylacetic acid	103-82-2
Anthranilic acid	118-92-3
Ephedrine	299-42-3
Pseudoephedrine	90-82-4
Norpseudoephedrine	36393-56-3
Phenylpropanolamine	14838-15-4

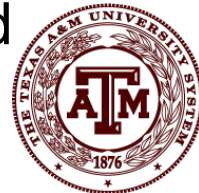
- Several of these are common laboratory chemicals
- These ***should be inventoried*** and
- ***Stored separately & securely!***



# The List of Regulated Chemical Laboratory Apparatus

A. Condenser	H. Erlenmeyer, two-neck or single-neck flask
B. Distilling apparatus	I. Round-bottom, Florence, thermometer, or filtering flask
C. Vacuum drier	J. Soxhlet extractor
D. Three-neck or distilling flask	K. Transformer
E. Tableting machine	L. Flask heater
F. Encapsulating machine	M. Heating mantle
G. Filter, Buchner or separatory funnel	N. Adapter tube

- Includes practically all common laboratory glassware; (It is more of a question, “What is not on the list?)
- The MOU **does NOT** require apparatus to be inventoried



# Scope & Locations Affected

- A&M System member locations, departments and offices where chemical precursors and/or chemical laboratory apparatus are managed, handled, used or stored.
- Key locations include, but are not limited to:
  - Purchasing
  - Receiving and stores
  - Laboratories and stockrooms in all science and engineering departments
  - Surplus





# Precursor & Apparatus Poster

- Posted prominently in locations where chemicals and apparatus are received, stored, used, surplused or disposed
- Become familiar with the lists and learn your responsibilities
- If in doubt, ask RMS for assistance.

## ATTENTION

Faculty – Instructors – Lab or supply room workers – Purchasing agents.  
- Surplus property managers – Others

***If you use, have access to or control...***

### ***...Drug Precursor Chemicals and Lab Apparatus***

You are **REQUIRED** by State Lab and the Texas Department of Public Safety (DPS) to control the following items (irrespective of quantity or size that may be used in the illicit manufacture of drugs (“controlled substances”)):

Precursor Chemicals		Laboratory Apparatus	
1. Methylamine (74-89-5)	10. N-Acetyl anthranilic acid (89-52-1)	A. Condenser	H. Erlenmeyer, two-neck or single-neck flask
2. Ethylamine (75-04-7)	11. Pyrrolidine (123-75-1)	B. Distilling apparatus	I. Round-bottom, Florence, thermometer, or filtering flask
3. D-Lysergic acid (82-58-6)	12. Phenylacetic acid (103-82-2)	C. Vacuum drier	J. Soxhlet extractor machine
4. Ergotamine tartrate (379-79-3)	13. Anthranilic acid (118-92-3)	D. Three-neck or distilling flask	K. Transformer
5. Diethyl malonate (105-53-3)	14. Ephedrine (299-42-3)	E. Tableting machine	L. Flask heater
6. Malonic acid (141-82-2)	15. Pseudoephedrine (90-82-4)	F. Encapsulating machine	M. Heating mantle
7. Ethyl malonate (105-53-3)	16. Norpseudoephedrine (492-39-7)	G. Filter, Buchner or separatory funnel	N. Adapter tube
8. Barbituric acid (67-52-7)	17. Phenylpropanolamine (492-41-1)		
9. Piperidine (110-89-4)			

\* Controlled substance analogues

\* Substantially similar to a controlled substance or acts on the central nervous system to a similar or greater extent. Prescription and non-prescription medicines are exempted.

### ***Your Responsibilities:***

**KEEP RECORDS OF PURCHASES.** Identify precursor and apparatus purchases and maintain purchase records, subject to DPS audit.

**KEEP ITEMS SECURE.** Restrict access to authorized personnel. Store and lock up controlled substances and precursor chemicals apart from other chemicals. Lock laboratories and storerooms when unattended or not in use to secure apparatus. (Recommended: Keep an inventory of precursor chemicals.)

**BE ALERT.** Be attentive to the disappearance of controlled substances, precursor chemicals and laboratory apparatus.

**PROMPTLY REPORT MISSING OR STOLEN ITEMS** to University Police @ 956-326-2100.

Follow up by submitting to DPS Form RSD-905 (available from DPS or Campus Operations & Safety (COS)) within three business days after the date of discovery.

**PREVENT ILLEGAL SALE, FURNISHING OR TRANSFER** to anyone not holding a DPS permit, waiver, or exemption. Every sale/furnishing/transfer leaving campus must be immediately recorded on DPS Form RSD-904 (available from DPS or COS) and maintained along with purchase records.

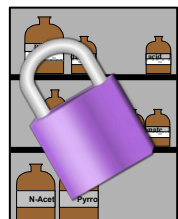
**Help is available!**

Call or email Environmental Health & Safety  
@ 956-326-2194; [safety@tamui.edu](mailto:safety@tamui.edu)





# Guidelines for the Management Cycle



2

## Receiving & Storage

- Keep precursors separate, secure and inventoried
- Keep apparatus secure
- Report suspected losses to police & RMS



1

## Product Ordering / Shipping

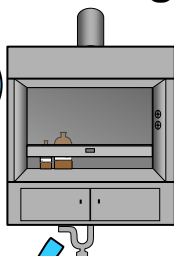
- Be alert to unauthorized purchase requests
- Buy from only licensed sellers
- Keep purchase records



3

## Use & Management

- Keep precursors separated, inventoried & secure
- Limit access to authorized personnel
- Keep apparatus secure
- Report suspected losses to police & RMS



4

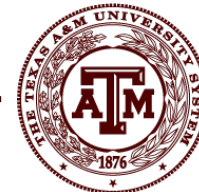
## Glassware Disposal

- Keep glass disposal boxes secure
- Lab apparatus/glassware cannot be recycled



5

- Store Securely
- Sell or donate only to licensed person/entity
- Transfers must be recorded
- Report suspected losses to police & RMS




# Records & Reports

- You must maintain all purchase records of
  - Incoming controlled substances,
  - Controlled substance analogues,
  - Precursor chemicals and
  - Laboratory apparatus (including controlled glassware).
- If you discover a readily unacceptable discrepancy, loss, pilferage or theft of one of the above, you must:
  - Submit a report of the incident immediately to the appropriate law enforcement agency
  - The institution shall report the incident to DPS within 3 business days using DPS Form RSD-905
- Be prepared, upon request, to supply DPS with applicable purchase and transfer records within 10 business days of the request.



# Report of Theft, Loss, or Suspicious Order

- Use DPS Form RSD-905 available on the DPS Precursor Chemical and Laboratory Apparatus website
  - <https://www.dps.texas.gov/rsd/Precursor/index.htm>

		Texas Department of Public Safety Regulatory Services Division www.dps.texas.gov		PRECURSOR CHEMICAL LABORATORY APPARATUS	
<b>REPORT OF THEFT, LOSS, OR SUSPICIOUS ORDER</b> PRECURSOR CHEMICAL, LABORATORY APPARATUS, EPHEDRINE, PSEUDOEPHEDRINE, OR NORPSEUDOEPHEDRINE					
<small>This form may be used to comply with Texas Health and Safety Code Chapters 481.077 (i), 481.080 (k), or 481.0771 (c).</small>					
<b>A. General Information</b>					
Business Name					
Physical Address					
City	County	State	ZIP		
Mailing Address					
City	County	State	ZIP		
Phone	DEA Number (If applicable)			Date	
Check One: <input type="checkbox"/> Theft <input type="checkbox"/> Loss <input type="checkbox"/> Discrepancy <input type="checkbox"/> Suspicious Order					
<b>B. Theft, Loss or Discrepancy</b>					
Was the theft/loss/discrepancy reported to a police agency? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Name of Police Agency					
Address of Police Agency					
Type of theft/loss/discrepancy (night break-in, armed robbery, employee theft, customer pilferage, incorrect amount received, etc.).					
Explain any difference between the amount received and the amount shipped.					
List identifying marks, symbols, or prices codes on lost or stolen items.					
Describe security measures in place to prevent future thefts.					
<b>C. Suspicious Order (Ephedrine, Pseudoephedrine, Norpseudoephedrine)</b>					
Name of Business placing order					
Name of person (if known)					
Address					
DEA Number (If applicable)					
New Account? <input type="checkbox"/> Yes <input type="checkbox"/> No				Date of Order	
RSD-905 (04/2020)					

# Sale, Transfer or Furnishing of Controlled Items

- Sale, furnishings, or transfer of controlled items, including glassware, to any person or entity not holding a DPS permit, unless specifically exempted by law, is **PROHIBITED**
- Every sale, furnishing or transfer of a controlled item must be recorded and kept on file.
- **Use DPS Form RSD-904 available from DPS**



Texas Department of Public Safety  
Regulatory Services Division  
www.dps.texas.gov

PRECURSOR CHEMICAL  
LABORATORY APPARATUS

## RECORD OF SALE OR TRANSFER OF CONTROLLED ITEMS

PART I To be completed by the entity that sells, transfers or furnishes a controlled item			
Name of Business			
Address			
City	County	State	ZIP
Phone	Email		
Name of Individual Making Report			
Invoice #	Date of Transaction		
DEA Registration #			
PART II To be completed by the recipient that does not represent a business			
Name			DOB
Address (Not a P.O. Box)			
City	County	State	ZIP
Driver License /State-Issued ID #	State		
Vehicle License #	Year	State	
PART III To be completed by recipient that represents a business			
Name of Business			Phone
Business Address			
City	County	State	ZIP
DEA Registration #			
Name of the Recipient Business Representative			
Chemical Precursor sold or transferred (report in measured quantity such as 20 drums, 5 gal., 6 lbs., etc.)			
1	Methylamine	12	Phenylacetic Acid
2	Ethylamine	13	Anthranilic Acid
3	D-lysergic Acid	14	Hypophosphorous Acid
4	Ergotamine Tartrate	15	Ephedrine
5	Diethyl Malonate	16	Pseudoephedrine
6	Malonic Acid	17	Norpseudoephedrine
7	Ethyl Malonate	18	Phenylpropanolamine
8	Barbituric Acid	19	Red Phosphorus
9	Piperidine	20	Other, specify:
10	N-Acetylanthranilic Acid		
11	Pyrrolidine		

# Security, Storage & Responsibility

- Ensure the security of controlled items by cost-effective means affording a reasonable sense of safety and accountability, such as
  - Electronic records,
  - Physical security, and
  - In accordance with manufacturer recommendations
- One or more institutional contact persons shall be appointed
  - List of appointees shall be provided annually to the DPS

