



U.S. Department of Justice

Drug Enforcement Administration

---

Washington, D.C. 20537

MAR 24 1989

Carl E. Olsen  
Post Office Box 5034  
Des Moines, Iowa 50306

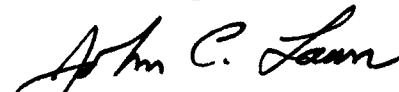
Dear Mr. Olsen:

This is in response to your March 18, 1989, petition requesting the addition of alcohol to Schedule II of the Controlled Substances Act. The definition of controlled substance in the Controlled Substances Act reads as follows:

The term "controlled substance" means a drug or other substance, or immediate precursor included in Schedule I, II, III, IV, or V of Part B of this subchapter. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1954. [21 U.S.C. §802(6)]

The Drug Enforcement Administration is, therefore, precluded from placing alcoholic beverages under control and is prohibited by statute from initiating a rulemaking to do so. Your petition to initiate such a rulemaking is denied.

Sincerely,

  
John C. Lawn  
Administrator