

U.S. DEPARTMENT OF JUSTICE  
DRUG ENFORCEMENT ADMINISTRATION  
BULK MANUFACTURER QUESTIONS  
SCHEDULE I & II CONTROLLED SUBSTANCES

**Attention Applicant or Registrant:**

**In order to process your company's request to bulk manufacture Schedule I and II controlled substances, the Diversion Regulatory Group (DRG) must obtain the information requested in this questionnaire. (PLEASE FILL OUT THIS FORM IN ITS ENTIRETY).**

**THIS QUESTIONNAIRE IS BEING SUBMITTED BY THE FOLLOWING:**

**NAME OF PERSON SUBMITTING:** \_\_\_\_\_  
**(PLEASE PRINT)**

**SIGNATURE OF PERSON SUBMITTING:** \_\_\_\_\_  
**(PLEASE SIGN)**

**TITLE OF PERSON:** \_\_\_\_\_

**NAME OF COMPANY:** \_\_\_\_\_

**DEA REGISTRATION NUMBER:** \_\_\_\_\_

**APPLICATION CONTROL NUMBER:** \_\_\_\_\_

**TELEPHONE NUMBER:** \_\_\_\_\_

**E-MAIL ADDRESS:** \_\_\_\_\_

**WEBSITE:** \_\_\_\_\_

**FAX NUMBER:** \_\_\_\_\_

**DATE OF SUBMISSION:** \_\_\_\_\_

**DRUG CODES:** \_\_\_\_\_

**The following questions pertain to your company's request to bulk manufacture Schedule I and/or II controlled substances. Please provide detailed responses to the following questions for each drug code that your company has proposed to manufacture in bulk.**

- 1. What is the purpose for the bulk manufacture of the controlled substance?**
- 2. Specifically, from start to finish, describe the production process, for each controlled substance.**

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3. **What materials will be used to manufacture the controlled substance(s) and in what quantities?**
  
4. **Please provide the name, address, method of shipment and method of delivery for each supplier from which your firm intends to procure materials for the manufacture of the controlled substance(s).**
  
5. **Does your company have a firm commitment from each supplier of raw material? What is the time period of this agreement and what quantity of raw material will each supplier be able to supply? Please attach copies of commitment letters from each supplier.**
  
6. **What quantity of each controlled substance does your company anticipate producing in bulk?**
  
7. **Who are your current and prospective customers (name, address and DEA number) for each controlled substance?**
  - a. **What product(s) (e.g., active pharmaceutical ingredient or API, dosage units, materials for clinical research) does your company intend to sell to each customer listed?**
  
  - b. **What quantity of each substance have your customers indicated they would purchase?**
  
  - c. **For what purpose are your customer(s) purchasing the controlled substances? (e.g., dosage form development, clinical trials, FDA approval). Please be specific as it relates to each customer and each controlled substance identified above.**

**(Please attach copies of letters of interest from prospective customers)**

8. **What are your company's future plans with regard to the manufacture of controlled substance(s)? Please provide detailed information, as possible, including timelines, and plans to expand your production facility, addition of equipment, product development activities, research and development, batch names and batch sizes and any FDA approvals.**

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- 9. When does your company anticipate commencing sales or other distribution of each controlled substance?**
  
- 10. Do you currently have any other controlled substance registrations from the DEA? If so, please include the name, DEA number(s), business activity, drug schedules and expiration dates(s).**
  
- 11. Please describe your company's past experience in manufacturing controlled substances. Please be specific with regards to dates, types of manufacturing activity, and names and schedules of controlled substances manufactured.**
  
- 12. Have you or anyone else who will be involved in the ownership or operation of your company previously manufactured or distributed any controlled substance without a DEA registration authorizing such activity? For each such person, please separately indicate dates, types of manufacturing or distribution activity, names of controlled substances, and quantities manufactured or distributed. Do not include persons who own less than 5 percent of the company.**
  
- 13. Has primary ownership of your company changed over the past 12 months? If so, please provide details.**
  
- 14. If your company is applying to obtain a registration as a bulk manufacturer because your company is unable to purchase the needed controlled substance(s) from existing bulk manufacturers, please provide the names of the existing registered bulk manufacturers you contacted. Please include dates of contact, person contacted, and method of contact.**
  
- 15. Please describe in detail whether your company's proposal to bulk manufacture controlled substances will promote technical advances in the art of manufacturing these substances and in the development of new substances.**

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**Note:** In answering question 16 and 17, please note that, your company bears the burden of demonstrating that either the existing supply or competition is inadequate within the meaning of 21 USC § 823 (a)(1). Particular consideration should be given to whether the existing registered bulk manufacturers of the controlled substance for which you seek registration can produce an adequate and uninterrupted supply of this substance under adequately competitive conditions. In assessing adequacy of supply, DEA generally focuses on the ability of existing registered bulk manufacturers to provide the *quantity* of material needed to supply the lawful needs of the United States. In assessing the competition, DEA has traditionally focused on the historical and present prices charged to those who lawfully acquire the controlled substance from the existing registered bulk manufacturers, and whether such prices are reasonable.

16. Adequacy of supply – Are you seeking to become registered based on the contention that the existing registered bulk manufacturers of the controlled substance are incapable of producing an adequate and uninterrupted supply of that substance to meet lawful needs of the United States? If so please explain in detail.
  
17. Adequacy of competition – Are you seeking to become registered based on the contention that the existing registered bulk manufacturers of the controlled substance are incapable of supplying the lawful need of the United States under adequately competitive conditions? Is so please answer the following questions:
  - a. Regarding your competitors, products, and prices, please explain why those suppliers are inadequate?
  
  - b. Why are current prices charged by your competitors unreasonable?
  
  - c. Please provide evidence showing that current market prices are clearly and persistently excessive.
  
  - d. Please state your prices and explain why they are more competitive than the current prices in the existing market.
  
  - e. Provide evidence that you can produce the controlled substance(s) in question at a lower cost than your competitors.

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**Note:** To assist you in answering question 18, applicants are advised to consult the DEA Policy Statement titled “Application to Become Registered Under the Controlled Substances Act To Manufacture Marihuana to Supply Researchers in the United States,” which was published in the Federal Register on August 12, 2016 (81 Fed. Reg. 53846).

Please be aware that you must meet all pertinent Food and Drug Administration (FDA) requirements for the preparation of cannabis material (e.g. current good manufacturing practices (cGMP)). Please contact the FDA’s Center for Drug Evaluation & Research for further guidance.

**18. \*\*Bulk Manufacturer Marihuana Growers Only\*\***

- a. Is this registration for an indoor or outdoor marihuana grow or both?
- b. Provide the exact location of the plot(s) of land on which the marihuana will be grown and provide a detailed description of the land or indoor grow location. Include the size of plot or grow room, estimated number of plants and theoretical and estimated yield from those plants.
- c. Who owns the land or property (if indoor grow)? Is the land or property leased? If yes, who is the lessee?
- d. Have you read the August 12, 2016, DEA Policy Statement titled “Application to Become Registered Under the Controlled Substances Act To Manufacture Marihuana to Supply Researchers in the United States,” which was published in the Federal Register on August 12, 2016 (81 Fed. Reg. 53846)?
- e. Are you proposing to engage in any manufacturing activities involving marihuana beyond growth/cultivation? (This would include any processing, extraction, packing, labelling or other activities that fall within the definition of “manufacturer in 21 U.S.C. §802(15). If so, please indicate that locations(s) where such additional manufacturing will take place and, for each location, provide the information specified in question c.
- f. Are you a contract manufacturer? If yes, who is your sponsor?
- g. Identify all persons who will be responsible for deciding, on behalf of you or your company, how much marihuana you will seek to grow and the persons to whom you plan to distribute the cannabis materials you produce. For each such person,

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**please provide the full name, address, and means by which such person may be contacted (e.g., telephone number or email).**

- h. If you are seeking to grow marihuana in order to supply cannabis materials to other manufacturers or researchers, do you understand and agree that you will only be permitted to distribute such material to persons who have obtained a DEA registration authorizing them to conduct such activities?**
  
- i. Are you seeking this registration exclusively for the purpose of supplying researchers as part of a contract with the National Institute on Drug Abuse? If so, please indicate the status of such contract.**
  
- j. If you are seeking this registration to manufacture marihuana for a purpose other than fulfilling a contract with the National Institute on Drug Abuse, do you understand that, for the reason set forth in DEA's August 12, 2016, policy statement, DEA will request as a condition of you becoming registered, that you enter into a memorandum of agreement under which you will be required to obtain written approval from DEA before each distribution of marihuana to other entities?**
  
- k. In what form and quantities will you distribute your material? Specifically, for each marihuana product (e.g., plant, resin) for each customer (name, address, and DEA number). Please provide the quantities to be distributed.**
  
- l. What are the theoretical cannabis alkaloid content (e.g., THC, CBD, etc) of those materials in (k)?**
  
- m. Do you plan to import seeds or other controlled substance starting material? If yes please indicate from what country, the name address, contact information of such supplier and whether the supplier is registered with DEA to import controlled such**

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