

**Description of applicable legal sanctions for unlawful possession,  
use of distribution of illicit drugs and alcohol**

**Federal Trafficking Penalties**

APPENDIX A

CSA	PENALTY		Quantity	DRUG	Quantity	PENALTY	
	2nd Offense	1st Offense				1st Offense	2nd Offense
I and II	Not less than 10 years. Not more than life.  If death or serious injury, not less than life.  Fine of not more than \$4 million individual, \$10 million other than individual.	Not less than 5 years. Not more than 40 years.  If death or serious injury, not less than 20 years. Not more than life.  Fine of not more than \$2 million individual, \$5 million other than individual.	10-99 gm or 100-999 gm mixture	METHAMPHETAMINE	100gm or more or 1 kg or more mixture	Not less than 10 years. Not more than life.  If death or serious injury, not less than 20 years. Not more than life.  Fine of not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years. Not more than life.
			100-999 gm mixture	HEROIN	1kg or more mixture		
			500-4,999 gm mixture	COCAINE	5 kg or more mixture		
			5-49 gm mixture	COCAINE BASE	50 gm or more mixture		
			10-99 gm or 100-999 gm mixture	PCP	100 gm or more or 1 kg or more mixture		
			1-10 gm mixture	LSD	10 gm or more mixture		
40-399 gm mixture	FENTANYL	400 gm or more mixture					
10-99 gm mixture	FENTANYL ANALOGUE	100 gm or more mixture					
	Drug	Quantity	First Offense		Second Offense		
	Others <sup>2</sup>	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.		Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual.		
III	All	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.		
IV	All	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.		
V	All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual.		Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.		

<sup>1</sup>Law as originally enacted states 100 gm. Congress requested to make technical correction to 1 kg.

<sup>2</sup>Does not include marijuana, hashish, or hash oil (See separate chart)

**Federal Trafficking Penalties - Marijuana**

As of November 18, 1988

Quantity	Description	First Offense	Second Offense
1,000 kg or more; or 1,000 or more plants	<b>Marijuana</b> Mixture containing detectable quantity*	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, no more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual, \$20 million other than individual.
100 kg to 1,000 kg; or 100-999 plants	<b>Marijuana</b> Mixture containing detectable quantity*	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual, \$10 million other than individual.
50 to 100 kg	<b>Marijuana</b>	Not more than 20 years.	Not more than 30 years.
10 to 100 kg	<b>Hashish</b>	If death or serious injury, not less than 20 years, not more than life.	If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.
1 to 100 kg	<b>Hashish Oil</b>	Fine \$1 million individual, \$5 million other than individual.	
50-99 plants	<b>Marijuana</b>		
Less than 50kg	<b>Marijuana</b>	Not more than 5 years.	Not more than 10 years.
Less than 10 kg	<b>Hashish</b>	Fine not more than \$250,000, \$1 million other than individual.	Fine \$500,000 individual, \$2 million other than individual.
Less than 1 kg	<b>Hashish Oil</b>		

\*Includes Hashish and Hashish Oil

(Marijuana is a Schedule I Controlled Substance)