a report stating the description and quantity of article of narcotics bought and sold from January to June, and from July to December, twice yearly, within twenty days after the end of June and the end of December.

Article 46. A narcotic practitioner, a narcotic retail dealer, and a narcotic research worker shall present to the Minister of Welfare a report stating the matters as shown below on 31 January, through the Local Governor of the district where he lives or has his business office:

1. Description and quantity of article or narcotics existent at the beginning of the preceding year.

2. Description and quantity of article of narcotics bought and sold during the preceding year.

3. Description and quantity of article of narcotics existent at the end of the preceding year.

Article 47. A narcotic dealer shall demonstrate himself as a narcotic dealer by means of hanging out his license certificate in his business office.

Article 48. Narcotics shall be kept in a safely locked place, apart from other medicines.

Article 49. All documents delivered to narcotic dealer according to the provisions of Article 49 shall be kept in hand at least five years.

Article 50. A narcotic dealer (except a narcotic practitioner) shall keep books for all dealings pertaining to narcotics, such as the description of article of narcotics and quantity thereof, date, and from whom it was bought and to whom it was sold. These books shall be kept at least five years.

Article 51. A narcotic practitioner shall keep all narcotic prescriptions and records showing name, address and diagnosis of all patients receiving narcotics, date and amount received at least five years.

/A dealer

A dealer in exempt narcotic preparations shall keep all documents delivered to him according to the provisions of Article 37 at least five years.

Article 52. The Minister of Welfare or the Local Governor concerned may, whenever he deems it necessary for supervision of narcotic, issue to a narcotic dealer instructions in regard to compounding, production, sale, delivery concerned and dispensation of narcotics.

Article 53. The Minister of Welfare or the Local Governor concerned may confiscate narcotics compounded, produced, sold, delivered, dispensed, owned, or possessed in contravention of the provisions of the present Regulation and may take other necessary measure in the case of such contravention.

Article 54. The Minister of Welfare or the Local Governor concerned may, wherever necessary, cause an competent official to inspect a drug store, dispensary, plant, shop, warehouse, or other places for the purpose of checking up its structure, facilities, equipments, conditions of occupations and activities, or documentary books and papers or other articles, or may cause the competent official to get free of charge the necessary amount of narcotic for an examination purpose.

The Minister of Welfare or the Local Governor concerned shall let the competent official have his identification with him in case where the Minister of Welfare or the Local Governor intends to dispatch him to make the said inspection and examination in accordance with the provisions of the preceding paragraph.

Article 55. When a narcotic dealer has been convicted of a crime or an offence in connection with his business, the Minister of Welfare may annul the license of the narcotic dealer. When a narcotic dealer has been accused of a crime or an offence in connection with his business, the Minister of Welfare or the Local Governor may suspend the activities of the narcotic dealer pending final disposition of the case.

/Article 56.

Article 56. A person falling under either of the following shall be subject to penal servitude not exceeding three years or a fine not exceeding 5,000 yen, or both:

1. A person who has violated the provisions of Article 10, paragraph 2, Article 14, Article 15, paragraph 1 or 3, Article 18, Article 19, paragraph 1, Articles 20, 21, Articles 23 to 27, Articles 29 to 42, Articles 47 to 51, and Article 61.

2. A person who has made false statement in an application or books and documents as under the provisions of Articles 9, 14, 15 or 26 and a person who has made false statement pertaining to his name, address, and so on in the books and documents as under the provisions of Article 37 or in the form as under the provisions of Article 40.

3. A person who, in violation of the provisions of Articles 22, 28, Articles 43 to 46, and Article 59, has neglected reporting or made a false report.

4. A person who has violated directions as under the provisions of Article 52.

5. A person who has refused, hindered, or evaded the disposition as under the provisions of Article 53, or a person who has refused, hindered, or evaded the inspection or being got narcotics free of charge by the competent officials as uuder (sic) the provisions of Article 54.

6. A person who, in violation of the provisions of Article 55, has engaged in his activities during the suspension of his activities.

Article 57. If fine (sic) representative of a juridical person or a substitute for or employee of a juridical person or a person within the scope of his employment violates the provisions of paragraphs 1 to 4, or 6 of the preceding Article applying to the business of the juridical

/person

person or person, not only he is punished but also the juridical person or person may be punished according to the provisions of the preceding Article.

Supplementary Provisions:

Article 58. This present Regulation shall come into effect on the date of promulgation.

Article 59. Any person, who is entitled to compound, produce, sell, deliver, or dispense, or distribute narcotics by the Medical Law on the date of promulgation of this Regulation, shall present a report pertaining to the description of article of narcotics and quantity thereof on hand at the above-mentioned date to the Minister of Welfare through the Local Governor of the district where he lives or has his business office, within thirty days after the promulgation of this Regulation.

Article 60. Any person, who is entitled to sell, deliver, dispense, or distribute narcotics by the Medical Law on the date of promulgation of this Regulation and desires to be a narcotic dealer, shall obtain the license in accordance with the provisions of Article 4 within thirty days after the promulgation of this Regulation.

Only a person who presents an application for narcotic dealers in accordance with the preceding paragraph can sell, deliver, dispense or distribute narcotics as ever till the said person obtains the license.

Article 61. Any person, who is entitled to compound, produce, sell, deliver, dispense or distribute narcotics by the Medical Law on the date of promulgation of this Regulation and does not desire to be a narcotic dealer, shall transfer narcotics on hand to a person appointed by the Minister of Welfare.

Article 62. Articles 1 and 2 of the Welfare Ministry Regulation No. 46 issued in 1945 are changed as follows:

/Article 1.

Article 1. Narcotics in this Regulation mean opium-poppy or coca tree (including plant and seed), opium or coca leaves, or any compounds, manufacture, salt, derivative or preparation of opium or coca leaves or Marihuana.

The term "Marihuana" means all parts of plant Cannavis (sic) Sativa L, whether growing or not; the seed thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seed or resin.

Article 2. Matters pertaining to the cultivation of plants from which narcotics are made, and to manufacture, import, export, transportation, delivery, dispensing, or sale of narcotics shall be provided by the Medical Law, and the Enforcement Regulation of Medical Law besides by this Regulation.

Article 63. Article 1, paragraph 2 of the Welfare Ministry Regulation No. 8 issued in 1946 is changed as follows:

Narocotics (sic) in the preceding paragraph are those regulated by Article 2 of this Regulation.

Article 64. The Enforcement Regulation of Medical Law is changed as follows:

The provisions of Articles 111 to 130, 132, 133 and 137 are struck out.

Article 138, Item 1 is changed as follows:

"A person who has violated the provisions of Article 131." In Article 138 "or Article 133" of Item 2 or 3 and "any person who cultivates coca trees for the purpose of acquiring coca leaves" of Item 4 are struck out.

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* * *

/Ministry of

Ministry of Welfare Ordinance No. 27

June 19, 1946

The following amendment is made to Ordinance No. 21, Welfare Ministry, dated June 1932, Fifth Amendment Pharmacopoeia Japanica.

The following four articles on the list of standing medicines (List I) are struck out:

Cocaine Hydrochloride

Codeine Phosphate

Morphine Hydrochloride

Tincture of Opium

Supplementary provision:

The present Ordinance shall come into effect as from the day of its promulgation.

Minister of Welfare

Yoshinari Kawai

170

TEXT

JUL 24 1947

894.114 NARCOTICS/6-1947

UNCLASSIFIED

No. 180

To the
United States Representative
to the United Nations,
New York, New York.

The Secretary of State refers to despatch No. 2227, dated April 17, 1947, from the United States Representative to the United Nations, regarding the procedure for forwarding communications concerning narcotic drugs from and to the Secretary-General of the United Nations.

It is requested that the United States Representative send a note to the Secretary-General of the United Nations reading:

"The United States Representative to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honor to refer to the Secretary-General's notes Nos. 606-21-1/LS and 606-8-1/LS, dated April 8, 1947, concerning the procedure for forwarding to the United Nations communications concerning narcotic drugs and in regard to the submission of annual reports on the traffic in narcotics respectively.

"The United States Political Adviser for Japan in his despatch No. 1123, dated June 19, 1947, states that copies of the above-mentioned notes were referred to the Public Health and Welfare Section of the Headquarters of the Supreme Commander for the Allied Powers, which has replied stating that required reports for both Japan and Korea will be forwarded promptly on due dates by that Section. In accordance with War Department instructions, these reports are forwarded directly to the Commissioner of Narcotics, Treasury Department, Washington, D. C., for transmission to the Secretary-General of the United Nations. They are forwarded through the Department of State.

"The United States Political Adviser for Japan also states that in view of the existing situation in Japan and Korea, it is believed advisable to continue this method of forwarding reports. The United States Political Adviser for Japan will be pleased to receive and transmit to the appropriate Section of the Headquarters of the Supreme Commander for the Allied Powers communications from the United Nations regarding narcotic drugs and reports thereon."

894.114 Narcotics/6-1947

EDH:GAMorlock:AG 7/11/47

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UNCLASSIFIED

JUL 23 1947 P.M.

894.114 NARCOTICS/6-1947

UNITED STATES POLITICAL ADVISER

FOR JAPAN

Tokyo, June 19, 1947

Instruction to US Rep. to UN
July 9, 1947
Japan

UNCLASSIFIED

No. 1123

SUBJECT: Procedure for Forwarding to the United Nations Communications Concerning Narcotic Drugs and Annual Reports on Traffic in Narcotics.

894.111 Narcotics/6-1947

The United States Political Adviser has the honor to refer to the Department's instruction No. 505 of May 28, 1947, transmitting notes Nos. 606-21-1/LS and 606-8-1/LS dated April 8, 1947 from the Secretary General, United Nations, concerning the procedure for forwarding to the United Nations communications concerning narcotic drugs and in regard to the submission of annual reports on the traffic in narcotics, respectively.

Copies of the Secretary General's notes were referred to the Public Health and Welfare Section of this Headquarters which has replied stating that required reports for both Japan and Korea will be forwarded promptly on due dates by that Section. In accordance with War Department instructions these reports are forwarded directly to the Commissioner of Narcotics, Treasury Department, Washington, D. C., for transmission to the Secretary General of the United Nations.

In view of the existing situation in Japan and Korea it is believed advisable to continue this method of forwarding the reports and it is requested that the Secretary General of the United Nations be informed accordingly. This Mission will, of course, be pleased to receive and transmit to the appropriate Section of this Headquarters communications from the United Nations regarding narcotic drugs and reports thereon.

Original & ozalid to Department.

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DCBerger:mf

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UNITED STATES POLITICAL ADVISER

FOR JAPAN

Tokyo, June 19, 1947

UNCLASSIFIED

No. 1122

SUBJECT: Questionnaire from Secretary General, UN, Regarding Narcotics Control Conference

ILH-NA-IK
894.114 Narcotics/4-2347

The United States Political Adviser has the honor to acknowledge the receipt of the Department's instruction No. 492 of May 9, 1947, and to state that the questionnaire on narcotics control transmitted therewith has been forwarded to the Public Health and Welfare Section of this Headquarters for appropriate action. The Public Health and Welfare Section states that the questionnaire will be completed and forwarded to the Secretary General of the United Nations prior to August 15, as requested.

Original & ozalid to Department

790
DCBerger:hp

UNITED STATES POLITICAL ADVISER FOR JAPAN

Tokyo, June 19, 1947

UNCLASSIFIED

No. 1124

SUBJECT: Questionnaire from Secretary General, UN, Regarding Drug Addiction.

The United States Political Adviser has the honor to acknowledge the receipt of the Department's airmail instruction No. 499 of May 19, 1947, and to state that the questionnaire on drug addiction transmitted therewith has been forwarded to the Public Health and Welfare Section of this Headquarters for appropriate action. The Public Health and Welfare Section states that the questionnaire will be completed and forwarded to the Secretary General of the United Nations prior to August 1, 1947, as requested.

Original & ozalid to Department

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DCBerger:mf

COMITE CENTRAL PERMANENT DE L'OPIUM

GENEVE

PERMANENT CENTRAL OPIUM BOARD

GENEVA

Dem file

Ref.: 894.114 Narcotics/4-2547.

The Secretary of the Permanent Central Opium Board has the honour to acknowledge the receipt of the following documents:-

your note dated May 15th, 1947, with annexes relating to Korea.

Geneva, June 23rd, 1947.

The Secretary of State of the
United States of America,
Department of State,
WASHINGTON.

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COMITE CENTRAL PERMANENT DE L'OPIUM

GENEVE

PERMANENT CENTRAL OPIUM BOARD

GENEVA

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Ref.: 894.114 Narcotics/5-2247.

The Secretary of the Permanent Central Opium Board has the honour to acknowledge the receipt of the following documents:-

your note of June 12th, 1947, with annex.

Geneva, June 25th, 1947.

The Secretary of State of the United States of America,
Department of State,
WASHINGTON.

UNITED STATES POLITICAL ADVISER

FOR JAPAN

Instruction to US Pol A.D. Tokyo Aug 22, 1947

Tokyo, July 8, 1947

Copy file

6/22/47

DAM/ims.

~~UNCLASSIFIED~~

No. 1157

SUBJECT: Resolution by the Economic and Social Council, UN, Concerning Reports Regarding Narcotic Control.

The United States Political Adviser has the honor to refer to the Department's instruction No. 515 of June 12, 1947, (file No. 894.114 Narcotics/5-847) enclosing Note No. 606-21-4/VP dated May 8, 1947 from the Secretary General, UN, regarding a resolution concerning the control of narcotics in Japan which was adopted by the Economic and Social Council on March 28, 1947, during its fourth session.

The Public Health and Welfare Section of this Headquarters reports that in accordance with War Department instructions, that Section has, since the beginning of the Occupation, furnished the United Nations with all available information through reports and questionnaires, as received, on due dates, both for Japan and Korea and that this information will continue to be forwarded as the requests are received and on the due dates.

It is requested that a list, with dates when due, of the reports and questionnaires concerning narcotic control in Japan and Korea, now required by the UN be supplied for the use of the Public Health and Welfare Section.

Original & ozalid to Department

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DCBerger:hp

894.114 NARCOTICS/7-847

CS/V

UNCLASSIFIED

No. 559

To the

Acting United States Political Adviser for Japan,

Tokyo.

894.114 Narcotics/7-847

The Acting Secretary of State refers to despatch no. 1157, dated July 8, 1947, from the United States Political Adviser for Japan requesting a list, with dates when due, of reports required by the United Nations concerning the control of narcotic drugs in Japan and Korea.

An annual report on the traffic in opium and other dangerous drugs for the previous calendar year should be sent to the Secretary General of the United Nations before August 1.

An advance statement on illicit traffic, taken from Chapter V of the annual report, is due in the hands of the Secretary General of the United Nations April 1.

Other reports on narcotic drugs to be submitted to the President of the Permanent Central Board, Geneva, Switzerland, are the following:

Form No.	Due	Subject
A(GL)	Quarterly	Imports and Exports
A(L)	Annually Mar. 31	Imports and Exports Codeine and Dionine
B(G)	Annually Dec. 31	Estimates of required raw materials for ensuing year.
B(L)	Annually Aug. 1	Estimates of requirements of narcotic drugs for ensuing year
C(1) (GL)	Annually Mar. 31	Statistics of Consumption
C(2) (GL)	Annually Mar. 31	Statistics of Production and Manufacture
D(GL)		

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UNCLASSIFIED

Form No.	Due	Subject
D (GL)	Annually May 31	Statistics of Stocks
E (GL)	Annually Mar. 31	Statistics of Confiscations

Notice of due date is always mentioned in the questionnaires that are circulated to governments.

894.114 Narcotics/7-847

I.H. GAMorlock
8/22/47

NA

DC/R

UNITED STATES REPRESENTATIVE
TO THE UNITED NATIONS

July 28, 1947

DC/R

No. 2740

The Acting United States Representative at the Seat of the United Nations presents his compliments to the Secretary of State and has the honor to acknowledge the receipt of the Department's Instruction No. 180, dated July 24, 1947, regarding the procedure for forwarding communications concerning narcotic drugs from and to the Secretary-General of the United Nations.

The Acting United States Representative has the honor to advise that the information contained in the Department's Instruction has been forwarded to the Secretary-General of the United Nations.

The Secretary of State of the United States of America transmits herewith to the President of the Permanent Central Opium Board reports of Statistical Form B(L) submitted on behalf of the Governments of Japan and Korea showing annual estimates of drugs for 1948 and a report by the Government of Korea for the calendar year 1946 on the "Traffic in Opium and Other Dangerous Drugs," Statistical Form E/NR/1947.

Enclosure:

Statistical Form B(L)

The President of the Permanent Central Opium Board,
Care of the American Legation,
Bern, Switzerland.

ILH:FMWilson:vmb
7/30/47

Statistical Form B (L).

ANNUAL ESTIMATES OF DRUGS

Statement of Method:

1. The figures used as the basis of estimates for 1948 were twice the actual consumption figures for the six month period from 1 November 1946 to 31 April 1947. Normal functioning of strict narcotic control and reporting did not begin until 1 November 1946. Future estimates can be more accurately determined.

2. Morphine (Item No. 1) - Practitioners were well supplied with this item, and actual withdrawals were below the true consumption level. One hundred (100) kilograms were added to the actual withdrawal figure for one year, to compensate for this.

3. Cocaine (Item No. 3) and Dihydrohydroxycodeinone (Item No. 4) - These figures were derived through the procedure outlined in paragraph No. 1. Since these items were in plentiful supply, the calculated consumption figures are estimated to be normal for one year's consumption.

4. Methylmorphine (Item No. 9) and Ethylmorphine (Item No. 10) - These figures were derived through the procedure outlined in paragraph No. 1. Since these stocks were in short supply, and since mal-distribution effected normal supply, actual withdrawals were doubled (Ethylmorphine) and multiplied by 2.5 (Methylmorphine) to arrive at a reasonable estimate of normal consumption for 1948.

5. The amount of Reserve Stock it is desired to maintain, as listed in Column III, is an estimated one year supply.

Statistical Form B (L).

CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, OF JULY 13TH, 1931

Permanent Central Opium Board.

ANNUAL ESTIMATES OF DRUGS

(These Estimates should reach the Central Board not later than August 1st.)

If for any country estimates are not furnished by the above date, the Supervisory Body shall itself draw up the estimates. (See Article 2 of the Convention of July 13th, 1931.)

GOVERNMENT OF General Headquarters Supreme Commander for the Allied Powers DATE: 5 July 1947

COMPETENT DEPARTMENT Public Health and Welfare Section - Japan.

(Signed) Crawford F Sams, *Head of Department.*

Col. Crawford F. Sams, MC, Chief, Public Health & Welfare Section

These estimates relate to the calendar year 1948

EXTRACT FROM THE CONVENTION OF JULY 13TH, 1931

Article 5.

3. Every estimate shall be accompanied by a statement explaining the method by which the several amounts shown in it have been calculated. If these amounts are calculated so as to include a margin allowing for possible fluctuations in demand, the estimates must indicate the extent of the margin so included. It is understood that, in the case of any of the "drugs" which are or may be included in Group II, a wider margin may be necessary than in the case of the other "drugs".

4. Every estimate shall reach the Permanent Central Board not later than August 1st in the year preceding that in respect of which the estimate is made.

For definitions, see Article 1 of the Convention of July 13th, 1931, and also Notes 1 and 2 on the back of this form.

GENERAL INSTRUCTIONS

Fill in every blank space in every column. Where there is nothing to report, write the word "nil".

If there is not sufficient space on this form, attach additional pages with a proper designation at the head of each page.

Show weight in kilogrammes and grammes; if impossible, state clearly the weight used in the table.

Figures for kilogrammes should be shown without full-stops or commas.

Only net weights should be entered in the table (*i. e.*, excluding packing material, such as cases, bottles, tubes and other containers, wrappers, etc.).

ONLY THE WEIGHT OF THE PURE ALKALOID CONTENT SHOULD BE GIVEN IN THE CASE OF CRUDE ALKALOIDS AND OF SALTS AND PREPARATIONS. (See table of equivalences.)

TABLE OF EQUIVALENCES

(By "pure alkaloid" is meant basic anhydrous alkaloid.)

Morphine: The principal morphine salts found on the market contain about 80 per cent of pure morphine.

Diacetylmorphine (diamorphine, heroin): The principal diacetylmorphine salts (diamorphine, heroin) found on the market contain about 90 per cent of pure diacetylmorphine.

Cocaine: Hydrochloride of cocaine contains about 90 per cent of pure cocaine. Nitrate of cocaine contains 75 per cent of pure cocaine. Tincture of coca ordinarily contains 0.2 per cent of pure cocaine. Fluid extract of coca ordinarily contains 0.6 per cent of pure cocaine.

Hydrochloride of dihydrohydroxycodeinone (eucodal) contains 78 per cent of pure dihydrohydroxy-codeinone.

Bitartrate of dihydrocodeinone (dicodide) contains 60 per cent of pure dihydrocodeinone.

Hydrochloride of dihydromorphinone (dilaudide) contains 89 per cent of pure dihydromorphinone.

Hydrochloride of acetyldihydrocodeinone or *hydrochloride of acetyl lemethylotihydrothebaine* (acedicone) contains 90 per cent of pure acetyldihydrocodeinone.

Hydrochloride of dihydromorphine (paramorfan) contains 89 per cent of pure dihydromorphine.

Hydrochloride of benzylmorphine (peronine) contains 87 per cent of pure benzylmorphine.

Methylmorphine (codeine): Phosphate of codeine contains on an average 70 per cent of pure methylmorphine (codeine).

Hydrochloride of codeine contains 81 per cent of pure methylmorphine (codeine).

Sulphate of codeine contains 76 per cent of pure methylmorphine (codeine).

Hydrochloride of ethylmorphine (dionine) contains 81 per cent of pure ethylmorphine.

S.d. N. 1000 (F.) 1000 (A.) 250 (Esp.) 1/46. - Imp. Atar, Genève.

Encl 1

Statistical Form B (L), Part 1: Consumption, Conversion and Stock Levels.

Estimates on PART I should reach the Permanent Central Opium Board not later than **August 1st** of the year preceding that to which the estimates refer.

	I		II		III
Show weight in kilogrammes and grammes. If impossible, state clearly the weight used in the table. *Only the weight of the pure alkaloid content should be given in the case of crude alkaloids and of salts and preparations (see table of equivalences).*	The quantity necessary for use as such for medical (Note 4) and scientific needs, including in this quantity both the quantity required for the manufacture for domestic consumption of preparations for which export authorisations are not required (Note 5) and the quantity required for the manufacture for export of the said preparations (but the quantity of the said preparations which is to be imported into the country is to be excluded from the estimate)		The quantity necessary for the purpose of conversion**, whether the substance resulting from this conversion is for domestic consumption or for export.		The amount of the reserve stocks (Note 6) which it is desired to maintain
	a Including margin *	*b* Margin, if any	*a* Including margin *	*b* Margin, if any	
	kg. grm.	kg. grm.	kg. grm.	kg. grm.	kg. grm.
1. **MORPHINE** (Note 1)	458 832	41 712	Nil	Nil	458 832
2. **DIACETYLMORPHINE (diamorphine, heroin)** and its salts and preparations	Nil	Nil	Nil	Nil	Nil
3. **COCAINE** (Note 2)	199 980	18 180	Nil	Nil	199 980
4. **Dihydrohydroxycodeinone** and its salts **(EUCODAL)** and preparations	2 849	259	Nil	Nil	2 849
5. **Dihydrocodeinone** and its salts **(DICODIDE)** and preparations	Nil	Nil	Nil	Nil	Nil
6. **Dihydromorphinone** and its salts **(DILAUDIDE)** and preparations	Nil	Nil	Nil	Nil	Nil
7. **Acetyldihydrocodeinone** or **Acetyldemethylodihydrothebaine** and its salts **(ACEDICONE)** and preparations	Nil	Nil	Nil	Nil	Nil
8. (Note 3)	Nil	Nil	Nil	Nil	Nil
9. **Methylmorphine (CODEINE)** and its salts	1,537 074	139 734	Nil	Nil	1,537 074
10. **Ethylmorphine** and its salts **(DIONINE)**	34 214	3 110	Nil	Nil	34 214

* See page 1 of this form (Article 5, paragraph 3, of the Convention of July 13th, 1931).

** The term "conversion" shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts. When one of the drugs is converted into another of the drugs, this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other. (Article 1, paragraph 4, of the Convention of July 13th, 1931.)

Statement of Method. — Please give here the statement prescribed by Article 5, paragraph 3, of the 1931 Convention (explaining the facts and considerations which have been taken into account in determining all the estimates inserted in this form) and any remark which it is desired to make:

Statistical Form B (L).

CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, OF JULY 13TH, 1931

Permanent Central Opium Board.

ANNUAL ESTIMATES OF DRUGS

(These Estimates should reach the Central Board not later than August 1st.)

If for any country estimates are not furnished by the above date, the Supervisory Body shall itself draw up the estimates. (See Article 2 of the Convention of July 13th, 1931.)

GOVERNMENT OF Korea DATE: 15 July 1947

COMPETENT DEPARTMENT Public Health and Welfare

(Signed) Y. S. Lee, *Head of Department.*

Dr. Y. S. Lee Director, Dept. P H & W

These estimates relate to the calendar year 1948

EXTRACT FROM THE CONVENTION OF JULY 13TH, 1931

Article 5.

3. Every estimate shall be accompanied by a statement explaining the method by which the several amounts shown in it have been calculated. If these amounts are calculated so as to include a margin allowing for possible fluctuations in demand, the estimates must indicate the extent of the margin so included. It is understood that, in the case of any of the "drugs" which are or may be included in Group II, a wider margin may be necessary than in the case of the other "drugs".

4. Every estimate shall reach the Permanent Central Board not later than August 1st in the year preceding that in respect of which the estimate is made.

For definitions, see Article 1 of the Convention of July 13th, 1931, and also Notes 1 and 2 on the back of this form.

GENERAL INSTRUCTIONS

Fill in every blank space in every column. Where there is nothing to report, write the word "nil".

If there is not sufficient space on this form, attach additional pages with a proper designation at the head of each page.

Show weight in kilogrammes and grammes; if impossible, state clearly the weight used in the table.

Figures for kilogrammes should be shown without full-stops or commas.

Only net weights should be entered in the table (*i. e.*, excluding packing material, such as cases, bottles, tubes and other containers, wrappers, etc.).

ONLY THE WEIGHT OF THE PURE ALKALOID CONTENT SHOULD BE GIVEN IN THE CASE OF CRUDE ALKALOIDS AND OF SALTS AND PREPARATIONS. (See table of equivalences.)

TABLE OF EQUIVALENCES

(By "pure alkaloid" is meant basic anhydrous alkaloid.)

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Bitartrate of dihydrocodeinone (dicodide) contains 60 per cent of pure dihydrocodeinone.

Hydrochloride of dihydromorphinone (dilaudide) contains 89 per cent of pure dihydromorphinone.

Hydrochloride of acetyldihydrocodeinone or *hydrochloride of acetyldemethyldihydrothebaine* (acedicone) contains 90 per cent of pure acetyldihydrocodeinone.

Hydrochloride of dihydromorphine (paramorfan) contains 89 per cent of pure dihydromorphine.

Hydrochloride of benzylmorphine (peronine) contains 87 per cent of pure benzylmorphine.

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Hydrochloride of codeine contains 81 per cent of pure methylmorphine (codeine).

Sulphate of codeine contains 76 per cent of pure methylmorphine (codeine).

Hydrochloride of ethylmorphine (dionine) contains 81 per cent of pure ethylmorphine.

S.d.N. 1000 (F.) 1000 (A.) 250 (Esp.) 1/46. — Imp. Atar, Genève.

Encl 2

Statistical Form B (L), Part 1: Consumption, Conversion and Stock Levels.

Estimates on PART I should reach the Permanent Central Opium Board not later than **August 1st** of the year preceding that to which the estimates refer.

	I		II		III
Show weight in kilogrammes and grammes. If impossible, state clearly the weight used in the table. *Only the weight of the pure alkaloid content should be given in the case of crude alkaloids and of salts and preparations (see table of equivalences).*	The quantity necessary for use as such for medical (Note 4) and scientific needs, including in this quantity both the quantity required for the manufacture for domestic consumption of preparations for which export authorisations are not required (Note 5) and the quantity required for the manufacture for export of the said preparations (but the quantity of the said preparations which is to be imported into the country is to be excluded from the estimate)		The quantity necessary for the purpose of conversion**, whether the substance resulting from this conversion is for domestic consumption or for export.		The amount of the reserve stocks (Note 6) which it is desired to maintain
	a Including margin *	*b* Margin, if any	*a* Including margin *	*b* Margin, if any	
	kg. grm.	kg. grm.	kg. grm.	kg. grm.	kg. grm.
1. **MORPHINE** (Note 1)	66 324	NIL	NIL	NIL	66 324
2. **DIACETYLMORPHINE (diamorphine, heroin)** and its salts and preparations	NIL	NIL	NIL	NIL	NIL
3. **COCAINE** (Note 2)	18 000	NIL	NIL	NIL	18 000
4. **Dihydrohydroxycodeinone** and its salts **(EUCODAL)** and preparations	NIL	NIL	NIL	NIL	NIL
5. **Dihydrocodeinone** and its salts **(DICODIDE)** and preparations	NIL	NIL	NIL	NIL	NIL
6. **Dihydromorphinone** and its salts **(DILAUDIDE)** and preparations	NIL	NIL	NIL	NIL	NIL
7. **Acetyldihydrocodeinone** or **Acetyldemethylodihydrothebaine** and its salts **(ACEDICONE)** and preparations	NIL	NIL	NIL	NIL	NIL
8. (Note 3)	NIL		NIL	NIL	NIL
9. **Methylmorphine (CODEINE)** and its salts	152 000	NIL	NIL	NIL	152 000
10. **Ethylmorphine** and its salts **(DIONINE)**	9 720	NIL	NIL	NIL	9 720

* See page 1 of this form (Article 5, paragraph 3, of the Convention of July 13th, 1931).

** The term "conversion" shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts. When one of the drugs is converted into another of the drugs, this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other. (Article 1, paragraph 4, of the Convention of July 13th, 1931.)

Statement of Method. — Please give here the statement prescribed by Article 5, paragraph 3, of the 1931 Convention (explaining the facts and considerations which have been taken into account in determining all the estimates inserted in this form) and any remark which it is desired to make:

1. Estimated consumption figures arrived at by a ten year average, according to existing statistics, from 1936 to 1945 inclusive (No. 1946 statistics).
2. A "reserve stock" of one year estimated consumption is desirable.

HEADQUARTERS
UNITED STATES ARMY MILITARY
GOVERNMENT IN KOREA
Department of Public Health and Welfare
Seoul, Korea

DEPARTMENT ORDER
NUMBER 3

24 June 1947

NARCOTICS REGULATION

1. *Purpose.* The purpose of this regulation is to implement the control of narcotics pursuant to Ordinance No 119 dated 11 November 1946 (*Narcotics Control*) and all other ordinances relating to narcotics.

2. *Unlicensed Transactions Prohibited.* Except as otherwise provided in Section VI *a-d* (inclusive) of Ordinance No 119 and paragraph 18 *d* of this regulation, no person shall without a license issued pursuant to this regulation and conspicuously displayed at his place of business, possess, produce, manufacture, compound, purchase or in any manner obtain, sell, transfer, send, ship, carry, transport or deliver, convey any interest in, or give away any narcotic drugs, or attempt, offer to do, cause or facilitate any of such acts; and no person shall permit any of said acts to be done without a license, in or upon any place owned, occupied, used, maintained or controlled by him. Nor shall any person sell or deliver narcotic drugs to another person not licensed under this regulation, except as otherwise provided in paragraph 18 hereof.

3. *Issuance of Licenses. a.* The Director of the Department of Public Health and Welfare may issue:

(1) Manufacturers' licenses.
(2) Repackagers' licenses.
(3) Wholesalers' licenses.
(4) Pharmacists' licenses.
(5) Practitioners' licenses.
(6) Research licenses.
(7) Exempt narcotic preparations licenses.

Incl 2 to Incl 1

b. Any person, except as otherwise specifically provided in this regulation, may receive more than one license.

c. A manufacturer's license may be issued to any person who, under the supervision of a duly licensed pharmacist, produces, mixes or in any way processes narcotic drugs for sale to another manufacturer, to a repackager, or to a wholesaler.

d. A repackager's license may be issued to any person who, under the supervision of a duly licensed pharmacist, buys narcotic drugs in bulk and repackages them into smaller packages without mixing or further processing for sale to manufacturers, repackagers or wholesalers.

e. A wholesaler's license may be issued to any person who, under the supervision of a duly licensed pharmacist, deals in medicines generally, buys narcotic drugs and sells them without repackaging to pharmacists, physicians, dentists, veterinary surgeons or research workers and, in the case of exempt narcotic preparations, to licensed drug merchants as defined in sub-paragraph *i* of this paragraph.

f. A pharmacist's license may be issued to a pharmacist otherwise duly licensed to practice pharmacy who dispenses narcotic drugs upon prescription.

g. A practitioner's license may be issued to any physician, dentist or veterinary surgeon duly licensed to practice, who administers or prescribes narcotic drugs in the course of professional treatment; ***provided however,*** that no person shall prescribe or administer narcotic drugs for a person chronically poisoned by or addicted to the use of narcotic drugs for the purpose of relieving or curing such poisoning or addiction.

Every practitioner shall within ten days of the diagnosis of any person chronically poisoned by or addicted to the use of narcotic drugs report to the provincial Pharmaceutical Affairs Section for the province in which he has his facility, the name, address and diagnosis of such person.

h. A research license may he issued to any person who desires to use narcotic drugs in the course of scientific research projects.

i. A license to sell exempt narcotic preparations at retail may be issued to any drug merchant who sells medicines and exempt narcotic preparations at retail and who is not otherwise licensed to sell narcotic drugs. A license to sell narcotic drugs also licenses the sale of exempt narcotic preparations.

j. A license shall be issued to or renewed only for persons who, in the opinion of the Director of the Department of Public Health and Welfare:

(*1*) Possess good moral character; *and*

(*2*) Possess: (*a*) such experience in importing, manufacturing, administering, distributing, marketing or handling narcotic or other medical drugs as wholesale or retail dealers, practitioners, pharmacists, or laboratory workers duly licensed and lawfully entitled to engage in such activities, *and* (*b*) such means and facilities for manufacturing, handling, and safeguarding narcotic drugs, as to render reasonably probable the orderly and lawful distribution of narcotic drugs of suitable quality to supply medical and scientific needs, without diversion to illicit channels.

4. Application for License.

a. Any person may apply for a license pursuant to this regulation by filing an application with the appropriate provincial Pharmaceutical Affairs Section. Each application shall be accompanied by written statements made by the head of the city, county or island in which the applicant and his supervising pharmacist have their place of business, setting forth:

(*1*) Whether such persons are chronically poisoned by or addicted to the use of narcotics;

(*2*) Whether such persons have been convicted of any crime or offense in connection with narcotics, *and*

(*3*) Any reasons why in his opinion the license should be refused.

b. The appropriate provincial Pharmaceutical Affairs Section shall approve of disapprove applications within 30 days of receipt thereof. It shall forward all applications which it approves to the Director of the Department

of Public Health and Welfare. If an application is disapproved, the appropriate provincial Pharmaceutical Affairs Section shall forthwith notify the applicant in writing, stating the reasons therefor. The applicant may within 60 days of such disapproval appeal to the Director of the Department of Public Health and Welfare.

5. *Information in Application.*

a. The application for a license shall contain the following information, except where the context indicates that the information is inapplicable :

(1) Name and address of applicant.

(2) Name and address of applicant's supervising pharmacist.

(3) Complete details regarding the license of the supervising pharmacist, physician, dentist, veterinarian or drug merchant, including the place and date of its issuance and the issuing authority.

(4) Location and description of applicant's place of business, plants, warehouses, equipment, and other manufacturing, distribution and research facilities.

(5) Items which the applicant proposes to manufacture and the estimated amount of such items to be manufactured during the period for which the license is requested.

(6) Sources of material for manufacturing.

(7) Purpose of the applicant's research.

(8) Detailed personal history of the applicant and his supervising pharmacist, including the names and addresses of their present and former employers, a description of their present and all former employment, and reasons for changing employment ; all periods of unemployment shall be explained and five references furnished. (*Not required in the application for a pharmacist's license, practitioner's license or exempt narcotic preparations license.*)

(*9*) Where the applicant is a juridical person, the applicant shall submit the articles of incorporation and a list of the names and addresses of the officers, directors, auditors, stockholders, bondholders, mortgagees or other security holders. (*Not required in the application for a pharmacist's license, practitioner's license or exempt narcotic preparations license.*)

(*10*) A complete inventory of all narcotic drugs and exempt narcotic preparations on hand as of the date of the application.

(*11*) Such other information as the Director of the Department of Public Health and Welfare requires.

b. No change shall be made by the licensee or his supervising pharmacist in any of the items listed in items (*2*)-(*7*) inclusive, or in the officers, directors, auditors, stockholders, bondholders, mortgagees or other security holders required to be listed by item (*9*) hereof, except with the prior written approval of the Director of the Department of Public Health and Welfare. An application for such change shall be filed with the appropriate provincial Pharmaceutical Affairs Section, accompanied by a fee of 5 won. Changes in items (*1*) and (*2*), or changes in item (*9*) not requiring prior approval, shall within ten days of the change be reported to the appropriate provincial Pharmaceutical Affairs Section which shall forward the application or report to the Director of the Department of Public Health and Welfare within ten days of its receipt.

6. *Fees.* The following fees shall be paid to the Director of the Department of Public Health and Welfare upon the issuance or renewal of a license :

a.	Manufacturer's license	500 won
b.	Repackager's license	300 won
c.	Wholesaler's license	200 won
d.	Pharmacist's or practitioner's license	50 won
e.	Exempt narcotic preparations license	50 won
f.	Research license	20 won

Such fees shall be paid to the appropriate provincial Pharmaceutical Affairs Section or other agency to which the license is transmitted for delivery to the licensee. The agency receiving such fees shall forward them forthwith to the Director of the Department of Public Health and Welfare.

7. *Duration of License.* All licenses shall terminate on the 31st day of December of the year for which they are issued.

8. *Renewal of License.* All applications for renewal shall be filed during the month of November preceding the expiration date, in accordance with the provisions of paragraphs 5 and 6 hereof.

9. *Lapse of License.* Any person whose license has expired or lapsed or whose license has been suspended or revoked shall, within ten days of such expiration, lapse, suspension or revocation, surrender to the appropriate provincial Pharmaceutical Affairs Section such license, together with a detailed inventory of all narcotic drugs on hand as of the date of such surrender. Such person shall not thereafter sell, transfer or otherwise dispose of such inventory or any part thereof, except by direction of the Director of the Department of Public Health and Welfare.

10. *License not Transferable.* No license shall be transferable. If a licensee transfers his business establishment, dies, is missing or becomes legally incapacitated, his license shall thereby lapse and the licensee or his legal representative, as the case may be, shall surrender the license in accordance with paragraph 9 hereof.

11. *Lost or Damaged License Certificates.* If a licensee has lost his license certificate or if his license certificate has been damaged, he may apply for a new license certificate to the appropriate provincial Pharmaceutical Affairs Section, which shall forward the application to the Director of the Department of Public Health and Welfare. The applicant shall surrender the damaged certificate with his application, and pay a filing fee of 5 won. Where the licensee finds his lost certificate subsequent to the issuance of a new certificate, he shall forthwith surrender the new certificate to the appropriate provincial Pharmaceutical Affairs Section.

12. *Suspension and Revocation. a.* The appropriate provincial Pharmaceutical Affairs Section or the Director of the Department of Public Health and

Welfare may, after due notice and hearing, suspend a license if the licensee has violated the provisions of this regulation or of Ordinance No 119, or is guilty of a substantial violation of law. All such suspensions made by the appropriate provincial Pharmaceutical Affairs Section shall be reviewed by the Director of the Department of Public Health and Welfare, who shall provide all interested parties an opportunity to be heard. Upon the expiration of the suspension period, the appropriate Pharmaceutical Affairs Section or the Director of the Department of Public Health and Welfare shall note on the certificate the period of suspension and the reasons therefor, and shall return the certificate to the licensee. No suspension under this paragraph shall exceed 60 days.

b. The Director of the Department of Public Health and Welfare may revoke a license if, after due notice and hearing, he finds such action to be in the public interest, or that the licensee has failed to comply with regulations or requirements of law relating to narcotics or is guilty of a substantial violation of law material to the licensee's qualification to sell narcotics.

13. *Packaging of Narcotics.* *a.* No manufacturer, repackager or wholesaler shall sell or deliver narcotic drugs (other than exempt narcotic preparations) unless such narcotic drugs are packed in receptacles sealed with stamps approved by the Director of the Department of Public Health and Welfare. This subsection shall not apply to sales or deliveries of bulk narcotic drugs to manufacturers or repackagers.

b. The following information shall appear on all such receptacles and the wrappings for such receptacles:

(*1*) Name and address of principal place of business of the manufacturer or repackager.

(*2*) Date of packaging.

(*3*) The percentage by weight of each narcotic drug in the contents of the package; except that, where the contents are in tablet form, the number of tablets and weight and type of each narcotic drug per tablet shall appear.

(*4*) The character *ma*.

14. *Manufacturers' or Repackagers' Quota Permit.*

a. Each licensed manufacturer or repackager shall apply to the Director of the Department of Public Health and Welfare within the 30-day period preceding 1 January, 1 April, 1 July and 1 October, for the establishment of the amount and items of narcotic drugs he will be permitted to manufacture or repackage during the ensuing quarter year. The application shall be filed with the appropriate provincial Pharmaceutical Affairs Section, which shall forward such application to the Director of the Department of Public Health and Welfare within ten days of receipt thereof. Such application shall set forth the following:

(*1*) Name and present place of business of applicant.

(*2*) Items and quantity of narcotic drugs proposed to be manufactured or repackaged during the ensuing quarter.

(*3*) The types and number of each type of receptacle to be used.

b. The Director of the Department of Public Health and Welfare shall issue permits for the manufacturing and repackaging of such amounts and items as in his judgment are consistent with the public interest. He may issue such permits for the manufacture or repackaging of specific amounts at any time when the public interest so requires.

15. *Stamps.* Each manufacturer or repackager shall obtain stamps from the appropriate provincial Pharmaceutical Affairs Section or the Director of the Department of Public Health and Welfare submitting:

a. A copy of his permit to manufacture or repackage received pursuant to paragraph 14 hereof, and

b. The number of stamps on hand.

The number of stamps issued and the date of issuance shall be noted on the permit.

16. *Order Forms.* No licensee shall transfer or sell narcotic drugs to another licensee unless he receives from the buyer or other transferee an order in the form prescribed by the Director of the Department of Public Health and Welfare. Both the buyer and seller shall retain copies of such order form as part of their records.

17. *Inventory Reports. a.* Every manufacturer, repackager and wholesaler shall file monthly reports, setting forth:

(*1*) Quantity and items of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.

(*2*) Names and addresses of all persons from whom he acquired narcotic drugs and the quantity and items acquired from each such person during the calendar month.

(*3*) Names and addresses of all persons to whom he sold or otherwise transferred narcotic drugs and the items and quantity sold or otherwise transferred to each such person.

(*4*) Quantity and items of narcotic drugs in his possession at the end of the calendar month.

(*5*) Explanation of any discrepancy between the sum of the quantities specified in Item (*1*) plus Item (*2*) and the sum of the quantities specified in Item (*3*) plus Item (*4*).

Such reports shall be filed with the appropriate provincial Pharmaceutical Affairs Section on or before the 20th day after the month for which the report is made. The provincial Pharmaceutical Affairs Section shall forward such reports to the Director of the Department of Public Health and Welfare.

b. Every pharmacist, practitioner, drug merchant licensed to deal in exempt narcotic preparations in accordance with paragraph 3 *i* hereof, and narcotic research worker shall file an inventory report for the balance of the calendar year in which the license is issued and thereafter for each calendar year, setting forth:

(*1*) Quantity and items of narcotic drugs in his possession at the beginning of the period for which the report is made.

(*2*) Quantity and items of narcotic drugs acquired during that period.

(*3*) Quantity and items he sold or otherwise transferred or used during that period.

(*4*) Quantity and items of narcotic drugs in his possession at the end of that period.

Such reports shall be filed with the appropriate provincial Pharmaceutical Affairs Section on or before the 20th day after the period for which the report is made. The provincial Pharmaceutical Affairs Section shall forward such reports to the Director of the Department of Public Health and Welfare.

18. *Prescriptions.* *a.* Every practitioner prescribing narcotic drugs other than exempt narcotic preparations shall write and sign a prescription in triplicate setting forth:

(*1*) Name, sex, address and age of the patient, where the prescription is made by a physician or dentist. (A prescription made by a veterinary surgeon shall set forth the species of animal and the name and address of its owner).

(*2*) Type and quantity of narcotic drugs and directions for use.

(*3*) Date of prescription, and name, address and license number of the practitioner.

The practitioner shall retain one copy as part of his records and give two copies to the patient.

b. Every practitioner administering narcotic drugs other than exempt narcotic preparations shall write and sign a prescription in duplicate setting forth items (*1*), (*2*) and (*3*) of preceding subparagraph. The practitioner shall retain one copy as part of his records, and within ten days after the end of each calendar month send the second copy of each such prescription written during that month to the appropriate provincial Pharmaceutical Affairs Section.

c. No pharmacist shall sell or otherwise dispense narcotic drugs other than exempt narcotic preparations unless he receives from the buyer two copies of a prescription in the form herein specified for such narcotic drugs. The pharmacist shall sign both copies of the prescription and indicate the date it was filled. He shall retain one copy of each prescription and he shall keep such copy separately from his other records.

d. Within ten days after the end of each calendar month, the pharmacist shall send the second copy of each such prescription filled during that

month to the appropriate provincial Pharmaceutical Affairs Section.

c. A pharmacist or drug merchant duly licensed hereunder to sell exempt narcotic preparations may sell such exempt narcotic preparations only to persons who present a prescription or a signed request, containing the name and address of the buyer, the date of the request, the type and amount of exempt narcotic preparations, and a statement that it is being bought for use by the buyer or other named person (whose address shall also be given). Each seller of exempt narcotic preparations shall retain such requests and prescriptions separately from his other records.

19. *Period of Retention of Records.* Any person obligated to keep records (including copies of prescriptions and requests for exempt narcotic preparations) pursuant to this regulation shall retain such records for at least five years from the date they are recorded or filed.

20. *Storage of Narcotics.* Each licensee shall keep his stock of narcotic drugs (other than exempt narcotic preparations) under lock and key apart from his other merchandise or materials.

21. *Inspection. a.* Each licensee shall keep his records, stocks of narcotic drugs and all facilities available for inspection by agents of the Department of Public Health and Welfare or of the appropriate provincial Pharmaceutical Affairs Section.

b. Any licensee shall upon request of such agent deliver to him a sample of any narcotic drug if such agent leaves a receipt for such narcotic drugs. The licensee shall within ten days report in writing the taking of such sample, to the appropriate provincial Pharmaceutical Affairs Section.

c. An inspector authorized by the Director of the Department of Public Health and Welfare may require the surrender of a license or of the licensee's stock of narcotic drugs, if he finds that the licensee has violated this regulation or Ordinance No 119. The inspector or any other person authorized to seize narcotic drugs pursuant to Section XI of Ordinance No 119, shall ofrthwith in writing report to the Director of the Department of Public Health

and Welfare any such seizure and the reasons therefor. The Director of the Department of Public Health and Welfare shall within ten days after receipt of such report notify the licensee in writing of the charges against him and give him an opportunity to be heard.

22. *Other Instructions.* The Director of the Department of Public Health and Welfare may, by written order, whenever the public interest requires, prohibit or restrict the manufacture, repackaging, sale or transfer of narcotic drugs by any licensee.

23. *Former Regulations.* Any person who was entitled to deal in narcotic drugs prior to the effective date of this regulation may continue to deal in narcotic drugs for 30 days after the effective date of this regulation if he has filed an application for a license pursuant to this regulation and such application has not been denied. Any person who has not filed an application on or before the effective date of this regulation shall report his inventory of narcotic drugs within ten days of such effective date to the appropriate provincial Pharmaceutical Affairs Section and hold such narcotic drugs subject to the order of the Director of the Department of Public Health and Welfare.

24. *Definitions.* *a. Narcotic drugs* includes opium, morphine, heroin, codeine, cocaine, marihuana and any other component, derivative or preparation of any thereof. It includes exempt narcotic preparations unless the context otherwise requires.

b. Exempt narcotic preparation means any preparation or remedy which contains by weight not more than 0.4 per cent of opium, or not more than 0.05 per cent of morphine, or not more than 0.2 per cent of codeine, hydrocodeine, or any salt, or derivative of any of them, *and* which preparation contains active medicinal drugs other than narcotics which confer upon the preparation valuable medicinal qualities other than those provided by the narcotic drug alone.

c. Appropriate Provincial Pharmaceutical Affairs Section with reference to any person means the Pharmaceutical Affairs Section of the provincial,

Bureau of Public Health and Welfare for the province in which such person has his place of business.

d. Person includes natural and juridical persons.

25. *Penalties.* Any person violating the provisions of this regulation shall, upon conviction by a Military Occupation Court, suffer such punishment as the Court shall determine.

26. *Effective Date.* This regulation shall be effective on the twentieth day after the date appearing hereon.

BY DIRECTION OF THE MILITARY GOVERNOR:

SEAL

LEE YONG SUL
Director
Department of Public
Health and Welfare

Official Gazette, USAMGIK Ordinance No 119 11 November 1946

HEADQUARTERS
UNITED STATES ARMY MILITARY
GOVERNMENT IN KOREA
Office of the Military Governor
Seoul, Korea

ORDINANCE
NUMBER 119

11 November 1946

NARCOTICS CONTROL

SECTION I. *Purpose.* The purpose of this ordinance is to control all sources of and activities connected with narcotic drugs in Korea south of 38° north latitude, and to limit the supply and uses thereof to legitimate medical and scientific requirements.

SECTION II. *Transfer of Narcotics Control Section; Duties and Functions.* The Narcotics Control Section of the Monopoly Bureau of the Department of Finance of the Government of Korea, together with all records, property and Korean personnel thereof, is hereby transferred to the Bureau of Pharmaceutical Affairs of the Department of Public Health and Welfare of the Government of Korea. All duties and functions thereof, not inconsistent with provisions of this ordinance, are likewise transferred. The Narcotics Control Section shall have the duty and function of administering the provisions of this ordinance and of all rules and regulations issued pursuant hereto by the Director of the Department of Public Health and Welfare.

SECTION III. *Definition of Narcotic Drugs:* The term "narcotic drugs", as used herein, includes opium, morphine, heroin, codeine, cocaine, marihuana, and any component, derivative or preparation of any thereof.

SECTION IV. *Opium Poppy and Marihuana Control.* Planting, cultivation, growth, harvesting, and any other activity which facilitates the growth of marihuana (*Cannabis sativa*) or of the opium poppy (*Papaver somniferum*) or any other plant which is the source of opium or cocaine is hereby prohibited.

a. It shall be unlawful for any person to produce or attempt to produce the opium poppy or marihuana, or to permit the production thereof in or upon any place owned, occupied, used or controlled by him.

b. It shall be unlawful for any person to sell, import, export, transfer, convey any interest in, give away, purchase or otherwise obtain opium poppy

Incl 1 to Incl 1

or marihuana seed for the purpose of opium poppy or marihuana production.

c. It shall be unlawful for any person to sell, import, export, transfer, convey any interest in, give away, purchase or otherwise obtain opium poppy or marihuana (or parts or seeds thereof); or to manufacture, compound or extract opium products from the opium poppy or products from marihuana (or parts or seeds thereof); except to surrender and deliver up the same to the police or to the Director of the Department of Public Health and Welfare, or their duly authorized agents.

d. Any opium poppies or marihuana (or parts or seeds thereof) which have been produced or otherwise obtained heretofore, and which may be produced or otherwise obtained hereafter in violation of the provisions hereof, shall be seized by and forfeited to the Government of Korea.

e. The failure, upon demand by the police or the Director of the Department of Public Health and Welfare or their duly authorized agents, of the person in occupancy or control of land or premises upon which opium poppies or marihuana (or parts or seeds thereof) are being produced or stored, to surrender or deliver up such poppies or marihuana (or parts or seeds thereof) shall be sufficient basis for the seizure and forfeiture thereof.

f. The police or the Director of the Department of Public Health and Welfare, or their duly authorized agents, shall have authority to enter upon any land (but not a dwelling, unless pursuant to a search warrant issued according to law) where opium poppies or marihuana (or parts or seeds thereof) are being produced or stored, for the purpose of enforcing the provisions of this section.

g. Any opium poppies or marihuana (or parts or seeds thereof), the owner or owners of which are unknown, seized by or coming into the possession of the Government of Korea in the enforcement of this section, shall be forfeited to said Government.

h. The police, the Director of the Department of Public Health and Welfare and their duly authorized agents, are hereby directed to destroy any opium poppies or marihuana (or parts or seeds thereof) seized by and forfeited to the Government of Korea under this section, or to deliver for medical or scientific purposes such opium poppies or marihuana (or parts or seeds thereof) to any political subdivision, agency or instrumentality of the Government, upon proper application therefor under such regulations as may be prescribed by the Director of the Department of Public Health and Welfare.

SECTION V. *Control of Heroin, Crude Opium, Opium Marihuana, and of Implements for Smoking Opium.* Possession, control, production, manufacture,

purchase, procurement, importation, receipt, use, transportation, distribution, sale, gift, transfer, exportation of or any other activity connected with heroin (*diacetylmorphine hydrochloride*) or marihuana, or any salt, compound, preparation, derivative, or combination thereof, crude, semiprocessed, or processed opium, smoking opium or opium prepared for smoking, or any implement for smoking opium or marihuana (except the surrendering and delivering up of such drugs or implements to the police, the Director of the Department of Public Health and Welfare or their duly authorized agents), are hereby prohibited.

a. It shall be unlawful for any person to smoke opium, opium tobacco or marihuana, or to take or administer to himself or another, heroin or marihuana (or any compound, salt, derivative or preparation thereof).

b. It shall be unlawful for any person to attempt, cause or facilitate any of the activities prohibited in this section, or to permit any such activities in or upon any place owned, occupied, used or controlled by him.

c. Any heroin or marihuana (or salt, compound, derivative or preparation thereof), crude, processed or semi-processed opium, smoking opium, or opium prepared for smoking, or any implements for smoking opium or marihuana which have been produced or otherwise obtained heretofore, and which may be produced or otherwise obtained hereafter in violation of the provisions hereof, shall be seized by and forfeited to the Government of Korea, and the provisions of paragraphs *e* through *h* of Section IV hereof shall apply, *mutatis mutandis*, to the seizure, forfeiture and disposition thereof.

SECTION VI. *Unlicensed Transactions in Narcotic Drugs Prohibited: Exceptions.* In addition to the foregoing prohibitions, it shall be unlawful for any person without an appropriate license or other proper authority from the Director of the Department of Public Health and Welfare to possess, produce, manufacture, compound, purchase or in any manner obtain, or to sell, transfer, send, ship, carry, transport or deliver, convey any interest in, or give away any narcotic drug, or to attempt, offer to do, cause or facilitate any of such acts or any other act prohibited under this ordinance, or to permit any of said acts in or upon any place owned, occupied, used, maintained or controlled by him, with the following exceptions:

a. Any patient who possesses narcotic drugs dispensed to him for medical purposes by a duly licensed physician, dentist, veterinarian or other authorised practitioner in the course of professional practice, or by a duly licensed pharmacist pursuant to a duly issued prescription of a licensed practitioner, or any patient to whom such drugs are administered or prescribed by such practitioner in the course of professional practice;

b. Any public official or employee who possesses narcotic drugs incidental to or within the scope of his official duties;

c. Any common carrier or warehouseman who transports or stores narcotic drugs pursuant to agreement with a person duly licensed under the provisions of this ordinance, or any employee of such common carrier or warehouseman, acting within the scope of his employment;

d. Any employee of a person duly licensed under the provisions of this ordinance, while acting within the scope of his employment.

SECTION VII. *Applications for Licenses; Qualifications of Applicants.* Any person who desires to procure a license to manufacture, import, sell, deal in, dispense, administer, use or possess any narcotic drugs shall apply therefor in such manner and form and pay such fees as the Director of the Department of Public Health and Welfare shall prescribe in regulations published as hereinafter provided.

Licenses shall be issued only to persons who, in the opinion of the Director of the Department of Public Health and Welfare:

a. Possess good moral character; and

b. Possess (*1*) such experience in importing, manufacturing, administering, distributing, marketing or handling narcotic or other medical drugs as a wholesale or retail dealer, practitioner, pharmacist, or laboratory worker duly licensed and lawfully entitled to engage in such activities, and (*2*) such means and facilities for manufacturing, handling, and safeguarding narcotic drugs, as to render reasonably probable the orderly and lawful distribution of narcotic drugs of suitable quality to supply medical and scientific needs, without diversion to illicit channels; and

c. Have complied with such additional requirements as the Director of the Department of Public Health and Welfare shall prescribe as reasonably necessary for the controlled importation, production, manufacture, and distribution of narcotic drugs. Such licenses shall be non-transferable, shall be effective for a period of one year from the date of issue, and may be renewed at the discretion of the Director of the Department of Public Health and Welfare, for a like period.

SECTION VIII. *Issuance of Regulations.* The Director of the Department of Public Health and Welfare shall prepare necessary regulations for carrying out the provisions of this ordinance. Such regulations shall, upon approval of the Military Governor, be published in the *Official Gazette*, and shall have the force and effect of law.

SECTION IX. *Limitation of Licenses.* All licenses issued under authority

of this ordinance shall be limited in number, locality and area, as the Director of the Department of Public Health and Welfare shall determine to be appropriate to supply medical and scientific needs for narcotic drugs, with due regard to provision for reasonable reserves; *provided, however*, that this ordinance shall not be construed to require the Director of the Department of Public Health and Welfare to issue or renew any license or licenses.

SECTION X. *Revocation of Licenses*. The Director of the Department of Public Health and Welfare may at any tine suspend, revoke or refuse to renew any license issued under this ordinance if, after due notice and opportunity for hearing, he finds such action to be in the public interest, or that the licensee has failed to comply with regulations or requirements of law or has failed to maintain requisite qualifications.

SECTION XI. *Seizure and Forfeiture of Narcotic Drugs*. Any narcotic drugs which have been produced or otherwise obtained heretofore, and which may be produced or otherwise obtained hereafter in violation of any of the provisions of this ordinance, shall be seized by and forfeited to the Government of Korea, and the provisions of paragraphs *e* through *h* of Section IV hereof shall apply, *mutatis mutandis*, to the seizure, forfeiture and disposition thereof.

SECTION XII. *Miscellaneous Provisions*.

a. Emergency Requirements. It shall be the duty of the Director of the Department of Public Health and Welfare, whenever in his opinion medical and scientific needs will not be met by licensed importation or production of narcotic drugs, to provide for the acquisition, production, manufacture, use, sale, giving away or other proper distribution of narcotic drugs by the Government of Korea either directly or through and with the approval of the head of any agency of the government, including any government-owned or controlled company.

b. Assistance by Government Agencies. It shall be the duty of all political subdivisions, agencies and instrumentalities of the Government of Korea, whan requested by the Director of the Department of Public Health and Welfare, to furnish such assistance (including technical advice) as will aid in carrying out the purposes of this ordinance.

c. Authorized Activities of Narcotics Control Officials. None of the prohibitions in this ordinance shall apply to any officer or employee of the Narcotics Control Section who, in the performance of his official duties and within the scope of his authority, engages in any business or activity herein described, nor to any other officer or employee of the Government of Korea

who, in the performance of his official duties and within the scope of his authority and with the approval of the Director of the Department of Public Health and Welfare, engages in any business or activity herein described.

SECTION XIII. *Repeal of Inconsistent Laws, &c.* All laws, ordinances, orders, regulations, directives and instructions, and parts thereof which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION XIV. *Penalties.* Any person violating the provisions of this ordinance or of any regulation issued pursuant hereto by the Director of the Department of Public Health and Welfare, and having the effect of law, shall, upon conviction by a Military Occupation Court, suffer such punishment as the Court shall determine.

SECTION XV. *Effective Date.* This ordinance shall be effective on the tenth day after the date appearing hereon.

S E A L
USAMGIK

ARCHER L LERCH
Major General United States Army
Military Governor in Korea

HEADQUARTERS

SOUTH KOREA INTERIM GOVERNMENT
Department of Public Health and Welfare
APO 235 UNIT 2

Report by the Government of Korea for the Calendar Year 1946 on the Traffic in Opium and other Dangerous Drugs

A - GENERAL

I. Laws and Publications.

1. Ordinance No. 119, Narcotics Control, dated 11 November 1946.

2. A law to control all sources of and activities connected with narcotic drugs in Korea, south of 38° north latitude, and to limit the supply and uses thereof to legitimate medical and scientific requirements. (Copy enclosed.)

3. None.

II. Administration.

1. (a) All phases of narcotic drug control were transferred from the Monopoly Bureau, Finance Department, to Bureau of Pharmaceutical Affairs of the Department of Public Health and Welfare, Government of Korea.

(b) Not applicable.

(c) Insufficient activity to warrant an accurate statement.

2. The Korean population is relatively free of addiction, but apparently repatriates to Korea are highly addicted. Among the Korean Nationals coming back from Manchuria, China, Formosa and Japan, are many addicts and persons engaging in illicit traffic of narcotics. The number of addicts is now believed to be higher than at any time in the history of Korea.

3. Work is continuing toward this end.

III. Control of International Trade.

1. No imports or exports have been made, although South Korea has been supplied with narcotic drugs from surplus United States Army stocks.

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2. Authority to issue import certificates and export authorizations was transferred from the Monopoly Bureau to the Narcotic Section of Pharmaceutical Affairs Bureau along with other activities of the Narcotic Section.

3. Regulations for control of import certificates and export authorizations are being formulated to comply with all existing requirements of international conventions for handling of dangerous drugs.

4. There were no narcotic drug exports from Korea in 1946.

5. No transactions.

6. No transactions.

7. No transactions.

8. No Indian hemp has been imported in 1946.

IV. International Cooperation.

1. None have been entered into.

2. No trade with any country has been entered into this year.

3. Regulations pertaining to import and export of narcotic drugs are being formulated at the present time and they will comply with all international conventions relating to the control of narcotic drugs.

V. Illicit Traffic.

1. The illicit traffic of narcotic drugs in Korea during the past year has been primarily from former Japanese stocks, both army and civilian; and secondly, from local clandestine production. No distribution of narcotics was made during 1946 and all transactions were ordered stopped in 1945 shortly after arrival of American forces, pending promulgation of laws and regulations. Hospitals, clinics and practitioners continued to use their stocks on hand until exhausted. Very small amounts of narcotics from outside Korea were evident during 1946. It is well established that there were large amounts of narcotics diverted from government control just prior to the arrival of American troops. Some of this was recovered, but much is still in stock of pharmacies, hospitals, and practitioners. This along with the normal stocks formerly carried has been sufficient to meet medical needs until recently. Opium poppy growing was encouraged and exploited under the Japanese and despite prohibitions to the contrary and as widespread dissemination of information on the prohibition as possible, it is believed that considerable opium was grown and harvested in the more remote and mountainous areas of South Korea. This has been the main source of supply for addicts.

There is evidence that some cocaine may have come into South Korea from Japan. Labels, however, are the same as those of old Japanese stocks and these may be more of the stocks left here by the Japanese.

Towards the end of the year very nearly all narcotics confiscated from channels for addicts were very highly adulterated and of very inferior quality.

2. Opium poppy growing was entirely prohibited in South Korea for 1946. The areas where it formerly was grown legitimately under the Japanese were principally the mountainous regions south of 38° parallel in the Province of Kangwon, and the mountainous area east of Taegu City in the southern part of Kyongsang Pukto. Many of the farmers are illiterate and may not have been aware of the new prohibition. It is known that considerable opium was produced; however, there is no way to estimate how much it may have been, or what disposition was made of it. The most of it was perhaps consumed in South Korea.

The mission of American forces at that time was disarming the Japanese and expatriating them. The efforts of personnel assigned to narcotics control was expended almost entirely upon recovering Japanese stocks, which had been stolen or sold contrary to the Japanese surrender agreement; therefore, preventive measures taken were meager.

Indian hemp is grown extensively throughout South Korea, principally as a source of fiber for homespun cloth and rope. The variety grown has very inferior narcotic properties, and according to American and Korean agriculture experts, the Korean people have never used Indian hemp as a narcotic. It is estimated that between six and eight million farmers grow Indian hemp for home spinning. It is planned that a survey will be made in 1947 with a view to establishing a registration system so that all production will be under control.

3. The only prosecutions were those instigated by United States Military authorities in provost courts prior to 30 June, of Japanese and Koreans apprehended in transactions involving Japanese stocks. Records are not complete as to sentences imposed. Subsequent to that date there were no prosecutions.

4. None.

5. Total confiscation was 67 kilogrammes of raw opium and 1 kilogramme of morphine.

6. The price of raw opium in February was approximately ₩10,000 per kilogramme and in December 1946 ₩40,000 for inferior grade. This was due to a great extent to the declining value of the Korean Yen.

VI. None.

B - RAW MATERIALS

VII. Raw Opium.

1. None registered or licensed. The last available figure was that for 1943: 7507 hectares, and is based on actually registered fields (according to Japanese records).

2. (a) No opium was produced for which figures or estimates are available.

(b) None.

3. None was standardized.

4. As stated previously, 1946 was a year of changes for Korea. Japanese Nationals, who had held nearly all positions of responsibility in government, industry, and commerce were expatriated and Koreans were placed in their positions, frequently without prior training. This resulted in complete stoppage of all narcotic drug manufacturing and processing, although large supplies of crude drugs and partially processed products were on hand. Due to the lack of an administrative system and adequate laws from Japanese government all growing of opium poppy was stopped. Farmers were advised to grow millet, beans or potatoes on the land formerly used for opium poppy growing.

5. No licenses were issued to either growers of opium poppy or wholesale dealers in opium during 1946.

6. No revenue was derived from opium for the Government of Korea in 1946.

7. (a) No usage has been noticed.

(b) No straw is used in the manufacture of alkaloids.

VIII. Coca Leaf.

1. Coca leaf is not grown in Korea.

2. Does not apply.

3. Does not apply.

4. Does not apply.

5. Does not apply.

IX. Indian Hemp.

1. A small amount of Indian hemp does grow wild in Korea. In some instances, notably in farming regions, it is collected and processed along with the domestic Indian hemp and used in the home manufacture of cloth and twine.

2. (a) Statistics submitted by each of the provinces to the Agriculture Department, Fibers Section, indicate that 5,243 hectares of Indian hemp were grown in 1946. This is less than one-third of the yearly average grown in the period 1940 through 1945. 5,243 hectares constitute approximately 0.2% of the total area under cultivation in South Korea.

Accurate data is not available as to the amount of Indian hemp used in industry, but an estimate by the Commerce Department is that approximately 75% of the Indian hemp harvested was used in home industries in making cloth and rope and that 25% may have been used by industrial plants.

(b) None of the hemp grown was used in the manufacture of any drugs, medicines or products other than for fiber and seed.

3. (a) 1,969,323 kilogrammes of hemp fiber were harvested in 1946.

(b) Some hemp fiber was in the hands of wholesalers but the amount cannot be estimated.

4. In accordance with Ordinance No. 119 (copy attached) Indian hemp is prohibited. However, regulations are now being formulated for the control of growing Indian hemp by registration of all growers. The crop is of great economic importance to Korea as a source of fiber for cloth and rope, and it cannot be banned without seriously affecting the economy of the country.

5. (a) Production of resin is prohibited, and as far as can be ascertained, none has been produced.

(b) None is in the hands of wholesalers or the Government.

6. None is produced or consumed as nearly as can be determined from available records and by questioning leading pharmacists and doctors.

7. There have been no new developments regarding internal control of production, trade and use of substances derived from Indian hemp.

8. There have been no new developments of galenical preparations.

(NOTE:) Questioning of leading agriculturists, drug manufacturers and doctors indicates that Koreans have never used Indian hemp as

a source of narcotics or drugs of any kind. However, to thwart any such use and to be in complete agreement with international conventions for control of narcotics and dangerous drugs, Korea will control the growing and production of Indian hemp by adequate laws and regulations properly administered and enforced.

C - MANUFACTURE OF DRUGS

X. Internal Control of Manufactured Drugs.

1. (a) Because of lack of effective control, it is contemplated that no opium poppy will be grown in Korea and none will be manufactured or processed.

(b) Diacetylmorphine, derivatives of cannabis sativa used medicinally, and opium for smoking have been entirely prohibited in South Korea.

(c) These control measures have been or will be initiated as soon as practicable.

2. (a) No licenses were issued to engage in any transactions involving narcotic drugs in 1946.

(b) No license for trade in dangerous drugs were issued.

3. (a) No factories have been authorized or licensed to manufacture any narcotics or dangerous drugs in 1946.

(b) No new drugs having properties of addiction or conversion into other drugs were developed in Korea in 1946.

(c) There was no inspection of factories in Korea with a view to determining whether they were or were not processing narcotics or dangerous drugs. There were no known instances of violations of narcotic manufacturing by legitimate drug manufacturers.

4. (a) No persons were issued licenses, permits or authorizations to handle narcotics in 1946.

(b) No inspections have been performed and no supervision has been exercised over drug manufacturing plants.

D - OTHER QUESTIONS

XI. Chapter IV of the Hague Opium Convention of 1912 does not apply.

XII. Prepared Opium.

1. Korea has adopted the policy of total prohibition of opium smoking, but too recently to draw any conclusions as to results.

2. Does not apply.

3. Opium is introduced illicitly but the actual extent is not known nor is available information adequate enough to even estimate the extent at this time.

XIII. Miscellaneous.

Approximately twenty-eight (28) tons of raw opium have been taken from a formerly managed and operated Japanese processing plant. This opium was from the 1944 and 1945 opium crop grown in Korea. It belonged to a government controlled monopoly, The Opium Poppy Growers Association, whose membership was made up of approximately 30,000 poppy growers in Korea. This opium has been entirely crated, sealed, and made ready for overseas shipment.

Paul A. Keeney

PAUL A. KEENEY
Colonel MC
Adviser to the Director

Y S Lee

Y. S. LEE, M.D.
Director

CHARGE SLIP

File No. 894.114 Narcotics

Enclosure	Charge to—	Date	Clerk's initials	Remarks
8-747	Mordock	11-4-47	H	~~with enc~~
	ILH			~~Letter fr Treas~~
				Inst 195 to U.
				8-
				Inst 196 " "
				Note to Pres of
				Central Opium
				8-

U. S. GOVERNMENT PRINTING OFFICE 1—1433

CHARGE SLIP

File No. 894.114 Narcotics

Charge to—	Date	Clerk's initials	Remarks
Morlock I L H	11-4-47	H	~~with enc~~ ~~Letter fr Treas. Dept.~~ Instr 195 to U.N. in N.Y. 8-23 Instr 196 " " " note to Pres of Permanent Central Opium Board 8-23'47

OFFICE 1—1433

TREASURY DEPARTMENT
BUREAU OF NARCOTICS
WASHINGTON 25

OFFICE OF
COMMISSIONER OF NARCOTICS

ADDRESS REPLY TO
COMMISSIONER OF NARCOTICS
REFER TO

August 7, 1947

INFORMAL

Mr. George H. Morlock
Division of International Labor
Health and Social Affairs
Department of State
Washington 25, D. C.

Sir:

Enclosed for your information and for transmission to the Permanent Central Opium Board reports as follows:

Statistical Form A(GL)-Second Quarter 1947 - Japan
Statistical Form A(GL)-Second Quarter 1947 - Korea

Reports by the Government of Japan and Korea on Questionnaire Regarding Legal and Practical Standpoint Taken Up Regarding Drug Addiction and Drug Addicts, Document E/CN. 7/64

Reports by Governments of Japan and Korea on Questionnaire on Raw Opium, Document E/CN. 7/63

Very truly yours,

Will S. Wood
Acting Commissioner of Narcotics.

Enclosure

Statistical Form A (GL)

Geneva Opium Convention of February 19th, 1925.

Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs of July 13th, 1931.

PERMANENT CENTRAL OPIUM BOARD

QUARTERLY STATISTICS OF IMPORTS AND EXPORTS

(To be forwarded to the Central Board within four weeks after the end of each quarter.)

GOVERNMENT OF General Headquarters Supreme Commander for the Allied Powers DATE: 1 July 1947

COMPETENT DEPARTMENT Public Health and Welfare Section - Japan

(Signed) Crawford F. Sams, *Head of Department.*
Col. Crawford F. Sams, MC, Chief, Public Health & Welfare Section

These statistics relate to the Second quarter of 1947

In this form the term "*Geneva Convention*" has been used to denote the Opium Convention signed at Geneva on February 19th, 1925, and the term "*Limitation Convention*" to denote the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs signed at Geneva on July 13th, 1931.

The letters G and/or L placed at the head of a column or against an item indicate the Convention in virtue of which the information is required — *i. e.:*

G = Information required in virtue of the Geneva Convention;
L = Information required in virtue of the Limitation Convention.

A Government Party to only one Convention need supply information only when the letter denoting that particular Convention appears both at the head of a column and against a corresponding item on the left. The Board would, however, greatly appreciate it if a Party to only one Convention could see its way to supplying the information required under the other Convention also.

GENERAL INSTRUCTIONS

Show weight in kilogrammes and grammes; if impossible, state clearly the weight used in the table.

Fill in every column. Where there is nothing to report, write the word "nil".

If there is not sufficient space on this form, attach additional pages with a proper designation at the head of each page.

Only net weights should be entered in the table (*i.e.*, excluding packing material, such as cases, bottles, tubes and other containers, wrappers, etc.).

Unless otherwise indicated, only the weight of the pure alkaloid content should be given in the case of crude alkaloids and of salts and preparations. (See table of equivalences at the end of this form.)

REFERENCES

Article 22, paragraphs 2, 3 and 4, of the Geneva Convention.

Article 13, paragraph 1, of the Limitation Convention.

For the definitions, see Article 1 of the Geneva and Limitation Conventions, and also Notes 1 and 2 on this form.

NOTES

Note 1. Morphine: This heading refers to morphine in the following forms: (*a*) pure morphine; (*b*) crude morphine; (*c*) salts of morphine; (*d*) preparations which contain more than 20 per cent of morphine made direct from raw or medicinal opium; (*e*) preparations which contain more than 0.2 per cent of morphine made from any of the forms of morphine mentioned in (*a*), (*b*), (*c*) or (*d*); (*f*) solutions and dilutions of morphine in an inert substance, liquid or solid, made from any of the forms of morphine mentioned in (*a*), (*b*), (*c*) or (*d*), even if these solutions and dilutions contain 0.2 per cent or less of morphine.

Where the figure entered in this column includes pure morphine contained in crude morphine, the weight of such pure morphine and also the weight of the crude morphine should be indicated separately under "Remarks".

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Show weight in kilogrammes and grammes. If impossible, state clearly the weight used in the table. *Only net weights should be entered in the table* (i.e., *excluding packing material such as cases, bottles, tubes and other containers, wrappers, etc.).* Unless otherwise indicated, only the weight of the pure alkaloid content should be given in the case of crude alkaloids and of salts and preparations. *(See table of equivalences at the end of this form.)*	1 G **RAW OPIUM***	2 G **MEDICINAL OPIUM**	3 G **OPIUM** in the form of tinctures, extracts, and such other preparations containing more than 0.2%, but not more than 20%, of morphine as are made direct from raw or medicinal opium. (State weight in terms of medicinal opium — *i.e.*, ten times the morphine content.)	4 G **COCA LEAVES****	5 G **INDIAN HEMP**	6 G **INDIAN HEMP in the form of galenical preparations** (extracts and tinctures) and preparations based thereon. (State weight in terms of Indian hemp.)	7 G **INDIAN HEMP RESIN** and preparations whose basis is resin of Indian hemp (such as hashish, esrar, chiras, djamba)
	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.
IMPORTS GL I. Total	Nil	Nil	Nil	Nil	Nil	Nil	Nil
GL II. For Government purposes (included in the above total) *(Note 4)*.							
GL III. Particulars of total in detail — Imported from *(Note 5)*: *(Specify countries and quantities.)*							
EXPORTS GL IV. Total.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
GL V. Particulars of total in detail — Exported to *(Note 5)*: *(Specify countries and quantities)*							

* How much of the raw opium imported was: Greek ....., Indian ....., Iranian ....., Turkish ....., Produced in the t

** How much of the coca leaves imported was: Bolivian ....., Javanese ....., Peruvian ....., Other (specify origin) .....

REMARKS:

6 G	7 G	8 GL	9 GL	10 GL	11 GL	12 GL	13 GL	14 GL	15 GL	16 GL
INDIAN HEMP in the form of galenical preparations (extracts and tinctures) and preparations based thereon. (State weight in terms of Indian hemp.)	**INDIAN HEMP RESIN** and preparations whose basis is resin of Indian hemp (such as hashish, esrar, chiras, djamba)	**MORPHINE** *(Note 1)*	**DIACETYL-MORPHINE (diamorphine, heroin)** and its salts and preparations	**CRUDE COCAINE** (State weight in terms of crude cocaine and enter under "Remarks" the pure cocaine content)	**COCAINE** *(Note 2)*	Dihydro-hydroxy-codeinone and its salts **(EUCODAL)** and preparations	Dihydro-codeinone and its salts **(DICODIDE)** and preparations	Dihydro-morphinone and its salts **(DILAUDIDE)** and preparations	Acetyldihydro-codeinone and its salts **(ACEDICONE)** and preparations	*(Note 3)*
Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.
Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

..............., Produced in the territories of the Union of Soviet Socialist Republics ...., Yugoslav ...., Other (specify origin) ....

ther (specify origin) ....

Note 2. Cocaine: This heading refers to cocaine in the following forms: (*a*) pure cocaine; (*b*) salts of cocaine; (*c*) preparations which contain more than 0.1 per cent of cocaine made direct from the coca leaf; (*d*) preparations which contain more than 0.1 per cent of cocaine made from any of the forms of cocaine mentioned in (*a*), (*b*) or (*c*); (*e*) solutions and dilutions of cocaine in an inert substance, liquid or solid, made from any of the forms of cocaine mentioned in (*a*), (*b*) or (*c*), even if these solutions and dilutions contain 0.1 per cent or less of cocaine.

Note 3. When figures are given for the substances mentioned below in answer to the questions in the present form, the quantities for each drug should be inserted in the blank columns, additional columns being added, if necessary:

Dihydromorphine and its salts (paramorfan) and preparations;
Morphine-N-oxide (genomorphine) and its preparations;
Thebaine and its salts and preparations;
Ecgonine and its salts and preparations;
The esters of ecgonine and their salts and preparations;
The esters of morphine — except diacetylmorphine — and their salts and preparations;
Benzylmorphine and its salts (peronine) and preparations;
The other ethers of morphine and their salts and preparations, except methylmorphine (codeine) and its salts and preparations, and ethylmorphine and its salts (dionine) and preparations;
The esters of the following: dihydrohydroxycodeinone, dihydrocodeinone, dihydromorphinone, acetyldihydrocodeinone or acetyldemethylodihydrothebaine, dihydromorphine and their salts and preparations;
The morphine-N-oxide derivatives and the other pentavalent nitrogen morphine derivatives and their preparations.

Note 4. By imports "for Government purposes" is to be understood substances imported for the use of the military, naval and air forces of the country, or to meet exceptional circumstances. Substances imported by the Government for normal domestic consumption by the civilian population, whether the substances are to be sold or to be distributed gratuitously by the Government, should not be considered as imports for Government purposes.

Note 5. **Statistics should be based on actual movements across the frontier and not merely upon the import and export authorisations which have been issued.**

"*Imported from*": Give the country which exported the goods and whose competent authorities have issued the export authorisation according to Article 13 of the Geneva Convention; but, if no such authorisation has been issued, the exporting country is the country from which the goods were actually despatched to the importing country.

"*Exported to*": Give the country which imported the goods and whose competent authorities have issued the import certificate according to Article 13, paragraph 2, of the Geneva Convention; but, if no such certificate has been issued, the importing country is the country to which the goods were actually despatched.

Import and export include consignments arriving or leaving by post.

Import is also intended to include entrance from abroad into a bonded warehouse, free port or free zone, and export is also intended to include despatch abroad from a bonded warehouse, free port or free zone, although such traffic may not ordinarily be treated by the national Customs laws as technical import and export; but care should be taken to ensure that goods passing the Customs from a bonded warehouse, free port or free zone into the country itself shall not be treated as imports, and goods transferred from the country itself into a bonded warehouse, free port or free zone situated in the country shall not be treated as exports.

However, if a shipment passes in transit through the country to another country and is accompanied by a proper export authorisation or diversion certificate (see Article 15 of the Geneva Convention), the country through which it passes in transit should not consider it as an import and export, even if the shipment is placed for a time in a bonded warehouse, free port or free zone.

Goods returned by a country for any reason whatever to the original exporting country shall be entered as exports by the one country and as imports by the other.

TABLE OF EQUIVALENCES

(By "pure alkaloid" is meant basic anhydrous alkaloid.)

Opium: One kilogramme of tincture is the equivalent of 100 grammes of medicinal opium.
One kilogramme of extract is the equivalent of 2 kilogrammes of medicinal opium.

Indian hemp: One kilogramme of tincture is the equivalent of about 100 grammes of Indian hemp.
One kilogramme of extract is the equivalent of about 7 kilogrammes of Indian hemp.

Morphine: The principal morphine salts found on the market contain about 80 per cent of pure morphine.

Diacetylmorphine (diamorphine, heroin): The principal diacetylmorphine salts (diamorphine, heroin) found on the market contain about 90 per cent of pure diacetylmorphine.

Cocaine: Hydrochloride of cocaine contains about 90 per cent of pure cocaine.
Nitrate of cocaine contains 75 per cent of pure cocaine.
Tincture of coca ordinarily contains 0.2 per cent of pure cocaine.
Fluid extract of coca ordinarily contains 0.6 per cent of pure cocaine.

Dihydrohydroxycodeinone: Hydrochloride of dihydrohydroxycodeinone (eucodal) contains 78 per cent of pure dihydrohydroxycodeinone.

Dihydrocodeinone: Bitartrate of dihydrocodeinone (dicodide) contains 60 per cent of pure dihydrocodeinone.

Dihydromorphinone: Hydrochloride of dihydromorphinone (dilaudide) contains 89 per cent of pure dihydromorphinone.

Acetyldihydrocodeinone or *acetyldemethylodihydrothebaine:* Hydrochloride of acetyldihydrocodeinone or acetyldemethylodihydrothebaine (acedicone) contains 90 per cent of pure acetyldihydrocodeinone.

Dihydromorphine: Hydrochloride of dihydromorphine (paramorfan) contains 89 per cent of pure dihydromorphine.

Benzylmorphine: Hydrochloride of benzylmorphine (peronine) contains 87 per cent of pure benzylmorphine.

Statistical Form A (GL)

Geneva Opium Convention of February 19th, 1925.

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PERMANENT CENTRAL OPIUM BOARD

QUARTERLY STATISTICS OF IMPORTS AND EXPORTS

(To be forwarded to the Central Board within four weeks after the end of each quarter.)

GOVERNMENT OF Korea DATE: 10 July 1947

COMPETENT DEPARTMENT Department of Public Health and Welfare

(Signed) Paul A. Keeney *Head of Department.*
PAUL A. KEENEY Col. MC
Y.S. LEE, M.D. Director

These statistics relate to the Second quarter of 1947

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Where the figure entered in this column includes pure morphine contained in crude morphine, the weight of such pure morphine and also the weight of the crude morphine should be indicated separately under "Remarks".

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Show weight in kilogrammes and grammes. If impossible, state clearly the weight used in the table. *Only net weights should be entered in the table* (i.e., *excluding packing material such as cases, bottles, tubes and other containers, wrappers, etc.).* Unless otherwise indicated, only the weight of the pure alkaloid content should be given in the case of crude alkaloids and of salts and preparations. *(See table of equivalences at the end of this form.)*	1 G **RAW OPIUM***	2 G **MEDICINAL OPIUM**	3 G **OPIUM** in the form of tinctures, extracts, and such other preparations containing more than 0.2%, but not more than 20%, of morphine as are made direct from raw or medicinal opium. (State weight in terms of medicinal opium — *i.e.*, ten times the morphine content.)	4 G **COCA LEAVES****	5 G **INDIAN HEMP**	6 G INDIAN HEMP in the form of galenical preparations (extracts and tinctures) and preparations based thereon. (State weight in terms of Indian hemp.)	7 G **INDIAN HEMP RESIN** and preparations whose basis is resin of Indian hemp (such as hashish, esrar, chiras, djamba)
	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.
IMPORTS GL I. Total	Nil	1.701	Nil	Nil	Nil	Nil	Nil
GL II. For Government purposes (included in the above total) *(Note 4)*.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
GL III. Particulars of total in detail — Imported from *(Note 5)*: *(Specify countries and quantities.)*	Nil	1.701	Nil	Nil	Nil	Nil	Nil
EXPORTS GL IV. Total.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
GL V. Particulars of total in detail — Exported to *(Note 5)*: *(Specify countries and quantities)*	Nil	Nil	Nil	Nil	Nil	Nil	Nil

Remarks: 1. All imports were received from the Army stocks of the Army of the United States, and on the Civilian Supply program for Korea.
2. ~~There were no exports of narcotics (parts or seeds thereof) from~~ Korea during the 2nd quarter of 1947.
3. Quantities listed in column 2 are contained in 300, 2 ounce bottles of medicinal opium received on the Civilian Supply program.
4. Quantities listed in column 3 are contained in 500, 1/8 ounce bottles of ethylmorphine hydrochloride from the Civilian Supply program.
5. Quantities listed in column 11 are cocaine hydrochloride contained in 2726, ¼ ounce bottles, received from the U.S. in C.S.P.
6. Quantity listed in column 16 is the codeine sulfate received in 941 ~~bottles of ½ grain tablets, 500 in each bottle.~~

* How much of the raw opium imported was: Greek ....., Indian ....., Iranian ....., Turkish ....., Produced in t

** How much of the coca leaves imported was: Bolivian ....., Javanese ....., Peruvian ....., Other (specify origin) .....

REMARKS:

6 G **INDIAN HEMP in the form of galenical preparations** (extracts and tinctures) and preparations based thereon. (State weight in terms of Indian hemp.)	7 G **INDIAN HEMP RESIN** and preparations whose basis is resin of Indian hemp (such as hashish, esrar, chiras, djamba)	8 GL **MORPHINE** *(Note 1)*	9 GL **DIACETYL-MORPHINE (diamorphine, heroin)** and its salts and preparations	10 GL **CRUDE COCAINE** (State weight in terms of crude cocaine and enter under "Remarks" the pure cocaine content)	11 GL **COCAINE** *(Notr 2)*	12 GL Dihydro-hydroxy-codeinone and its salts **(EUCODAL)** and preparations	13 GL Dihydro-codeinone and its salts **(DICODIDE)** and preparations	14 GL Dihydro-morphinone and its salts **(DILAUDIDE)** and preparations	15 GL Acetyldihydro-codeinone and its salts **(ACEDICONE)** and preparations	16 GL *(Note 3)*
Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.	Kg.
Nil	Nil	1.593	Nil	Nil	17.394	Nil	Nil	Nil	Nil	10.723
Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Nil	Nil	1.593	Nil	Nil	17.394	Nil	Nil	Nil	Nil	10.723
Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

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....., Produced in the territories of the Union of Soviet Socialist Republics ....., Yugoslav ....., Other (specify origin) .....

her (specify origin) .....

Note 2. Cocaine: This heading refers to cocaine in the following forms: (*a*) pure cocaine; (*b*) salts of cocaine; (*c*) preparations which contain more than 0.1 per cent of cocaine made direct from the coca leaf; (*d*) preparations which contain more than 0.1 per cent of cocaine made from any of the forms of cocaine mentioned in (*a*), (*b*) or (*c*); (*e*) solutions and dilutions of cocaine in an inert substance, liquid or solid, made from any of the forms of cocaine mentioned in (*a*), (*b*) or (*c*), even if these solutions and dilutions contain 0.1 per cent or less of cocaine.

Note 3. When figures are given for the substances mentioned below in answer to the questions in the present form, the quantities for each drug should be inserted in the blank columns, additional columns being added, if necessary:

Dihydromorphine and its salts (paramorfan) and preparations;
Morphine-N-oxide (genomorphine) and its preparations;
Thebaine and its salts and preparations;
Ecgonine and its salts and preparations;
The esters of ecgonine and their salts and preparations;
The esters of morphine — except diacetylmorphine — and their salts and preparations;
Benzylmorphine and its salts (peronine) and preparations;
The other ethers of morphine and their salts and preparations, except methylmorphine (codeine) and its salts and preparations, and ethylmorphine and its salts (dionine) and preparations;
The esters of the following: dihydrohydroxycodeinone, dihydrocodeinone, dihydromorphinone, acetyldihydrocodeinone or acetyldemethylodihydrothebaine, dihydromorphine and their salts and preparations;
The morphine-N-oxide derivatives and the other pentavalent nitrogen morphine derivatives and their preparations.

Note 4. By imports "for Government purposes" is to be understood substances imported for the use of the military, naval and air forces of the country, or to meet exceptional circumstances. Substances imported by the Government for normal domestic consumption by the civilian population, whether the substances are to be sold or to be distributed gratuitously by the Government, should not be considered as imports for Government purposes.

Note 5. **Statistics should be based on actual movements across the frontier and not merely upon the import and export authorisations which have been issued.**

"Imported from": Give the country which exported the goods and whose competent authorities have issued the export authorisation according to Article 13 of the Geneva Convention; but, if no such authorisation has been issued, the exporting country is the country from which the goods were actually despatched to the importing country.

"Exported to": Give the country which imported the goods and whose competent authorities have issued the import certificate according to Article 13, paragraph 2, of the Geneva Convention; but, if no such certificate has been issued, the importing country is the country to which the goods were actually despatched.

Import and export include consignments arriving or leaving by post.

Import is also intended to include entrance from abroad into a bonded warehouse, free port or free zone, and export is also intended to include despatch abroad from a bonded warehouse, free port or free zone, although such traffic may not ordinarily be treated by the national Customs laws as technical import and export; but care should be taken to ensure that goods passing the Customs from a bonded warehouse, free port or free zone into the country itself shall not be treated as imports, and goods transferred from the country itself into a bonded warehouse, free port or free zone situated in the country shall not be treated as exports.

However, if a shipment passes in transit through the country to another country and is accompanied by a proper export authorisation or diversion certificate (see Article 15 of the Geneva Convention), the country through which it passes in transit should not consider it as an import and export, even if the shipment is placed for a time in a bonded warehouse, free port or free zone.

Goods returned by a country for any reason whatever to the original exporting country shall be entered as exports by the one country and as imports by the other.

TABLE OF EQUIVALENCES

(By "pure alkaloid" is meant basic anhydrous alkaloid.)

Opium: One kilogramme of tincture is the equivalent of 100 grammes of medicinal opium.
One kilogramme of extract is the equivalent of 2 kilogrammes of medicinal opium.
Indian hemp: One kilogramme of tincture is the equivalent of about 100 grammes of Indian hemp.
One kilogramme of extract is the equivalent of about 7 kilogrammes of Indian hemp.
Morphine: The principal morphine salts found on the market contain about 80 per cent of pure morphine.
Diacetylmorphine (diamorphine, heroin): The principal diacetylmorphine salts (diamorphine, heroin) found on the market contain about 90 per cent of pure diacetylmorphine.
Cocaine: Hydrochloride of cocaine contains about 90 per cent of pure cocaine.
Nitrate of cocaine contains 75 per cent of pure cocaine.
Tincture of coca ordinarily contains 0.2 per cent of pure cocaine.
Fluid extract of coca ordinarily contains 0.6 per cent of pure cocaine.
Dihydrohydroxycodeinone: Hydrochloride of dihydrohydroxycodeinone (eucodal) contains 78 per cent of pure dihydrohydroxycodeinone.
Dihydrocodeinone: Bitartrate of dihydrocodeinone (dicodide) contains 60 per cent of pure dihydrocodeinone.
Dihydromorphinone: Hydrochloride of dihydromorphinone (dilaudide) contains 89 per cent of pure dihydromorphinone.
Acetyldihydrocodeinone or *acetyldemethylodihydrothebaine:* Hydrochloride of acetyldihydrocodeinone or acetyldemethylodihydrothebaine (acedicone) contains 90 per cent of pure acetyldihydrocodeinone.
Dihydromorphine: Hydrochloride of dihydromorphine (paramorfan) contains 89 per cent of pure dihydromorphine.
Benzylmorphine: Hydrochloride of benzylmorphine (peronine) contains 87 per cent of pure benzylmorphine.

Note 2. Cocaine: This heading refers to cocaine in the following forms: (*a*) pure cocaine; (*b*) salts of cocaine; (*c*) preparations which contain more than 0.1 per cent of cocaine made direct from the coca leaf; (*d*) preparations which contain more than 0.1 per cent of cocaine made from any of the forms of cocaine mentioned in (*a*), (*b*) or (*c*); (*e*) solutions and dilutions of cocaine in an inert substance, liquid or solid, made from any of the forms of cocaine mentioned in (*a*), (*b*) or (*c*), even if these solutions and dilutions contain 0.1 per cent or less of cocaine.

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The other ethers of morphine and their salts and preparations, except methylmorphine (codeine) and its salts and preparations, and ethylmorphine and its salts (dionine) and preparations;
The esters of the following: dihydrohydroxycodeinone, dihydrocodeinone, dihydromorphinone, acetyldihydrocodeinone or acetyldemethylodihydrothebaine, dihydromorphine and their salts and preparations;
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Import is also intended to include entrance from abroad into a bonded warehouse, free port or free zone, and export is also intended to include despatch abroad from a bonded warehouse, free port or free zone, although such traffic may not ordinarily be treated by the national Customs laws as technical import and export; but care should be taken to ensure that goods passing the Customs from a bonded warehouse, free port or free zone into the country itself shall not be treated as imports, and goods transferred from the country itself into a bonded warehouse, free port or free zone situated in the country shall not be treated as exports.

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One kilogramme of extract is the equivalent of about 7 kilogrammes of Indian hemp.

Morphine: The principal morphine salts found on the market contain about 80 per cent of pure morphine.

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Dihydromorphinone: Hydrochloride of dihydromorphinone (dilaudide) contains 89 per cent of pure dihydromorphinone.

Acetyldihydrocodeinone or *acetyldemethylodihydrothebaine:* Hydrochloride of acetyldihydrocodeinone or acetyldemethylodihydrothebaine (acedicone) contains 90 per cent of pure acetyldihydrocodeinone.

Dihydromorphine: Hydrochloride of dihydromorphine (paramorfan) contains 89 per cent of pure dihydromorphine.

Benzylmorphine: Hydrochloride of benzylmorphine (peronine) contains 87 per cent of pure benzylmorphine.

Japan
Drug addiction

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

AG 441.1 (18 Jul 47)PH

APO 500
18 July 1947

SUBJECT: Questionnaire Regarding Legal and Practical Standpoint Taken Up Regarding Drug Addiction and Drug Addicts.

TO: The Commissioner of Narcotics, Treasury Department, Washington 25, D. C.

1. Reference is made to United Nations Economic and Social Council, Document, file number E/CN.7/64, dated 11 April 1947, answers to which are herewith transmitted.

Answers:

Question 1.

(a) Yes, under circumstances of possession.
Relevant law: The Narcotic Control Regulations.
Art. 23. Any person other than narcotic dealers is prohibited from compounding, producing, selling, delivering, or dispensing narcotics.
Art. 33. A narcotic retail dealer shall neither sell nor deliver narcotics which are not compounded in accordance with the prescription of a narcotic practitioner.
Art. 34. A narcotic practitioner shall not dispense narcotics for purposes other than medical treatment towards other persons or live-stocks.
Art. 35. A narcotic practitioner shall not dispense narcotics towards a narcotic poisoned person for the purpose of relieving him from poisoning or curing poisoning.
Art. 38. A narcotic research worker shall not use narcotics for any purpose than research.
Art. 42. 1) A narcotic dealer
2) A person who has obtained the delivery of narcotics under the provisions of Article 33.
3) A person who has obtained the delivery of narcotics under the provisions of Article 34.

(b) No.

(c) The law contains no definition of addiction or of drug addicts. Classified as a sick person.
Relevant law: The Narcotic Control Regulations.
Art. 35. A narcotic practitioner shall not dispense narcotics towards a narcotic poisoned person for the purpose of relieving him from poisoning or curing poisoning.

Question 2. No.

Encl 1-2

Question 3. No.

Question 4.

(a) Yes. Registration with Local Governor. (Registration data sent to Welfare Ministry for use in Narcotic Control Enforcement.)
Relevant law: Enforcement Regulation of Medical Law.
Art. 131. The physician shall notify the Local Governor of the district wherein his practice is situated, the name, address and kind of narcotics used by the drug addict, within ten (10) days of his visit to the physician.

(b) No.

(c) No.

(d) No.

Question 5. No.
Relevant law: Narcotic Control Regulation.
Art. 35. A narcotic practitioner shall not dispense narcotics towards a narcotic poisoned person for the purpose of relieving him from poisoning or curing poisoning.

Question 6. Use of narcotic drugs in treatment of a drug addict prohibited. No other limits prescribed.
Relevant law: Narcotic Control Regulation.
Art. 35. A narcotic practitioner shall not dispense narcotics towards a narcotic poisoned person for the purpose of relieving him from poisoning or curing poisoning.

(a) No.

(b) No.
Relevant law: Narcotic Control Regulation.
Art. 35. A narcotic practitioner shall not dispense narcotics towards a narcotic poisoned person for the purpose of relieving him from poisoning or curing poisoning.

(c) Yes.
Relevant law: Enforcement Regulation of Medical Law.
Art. 131. The physician shall notify the Local Governor of the district wherein his practice is situated, the name, address and kind of narcotics used by the drug addict, within ten (10) days of his visit to the physician.

(d) None.

Question 7.

Par. 1. The physician has full power to diagnose the ailment of a patient and to prescribe the necessary medical treatment. The physician is held responsible in complying with Narcotic Regulations relative the distinction between treatment for medical needs and treatment for narcotic addiction.
Relevant law: Narcotic Control Regulations.
Art. 34. A narcotic practitioner shall not dispense narcotics for purposesother than medical treatment towards other persons or live-stocks.
Art. 35. A narcotic practitioner shall not dispense narcotics towards a narcotic poisoned person for the purpose of relieving him from poisoning or curing poisoning.

Par. 2. The administration of sedatives (manufactured drugs) to patients suffering from painful diseases of various kinds or subjected to operative procedures is left to the discretion of the attending physician.

Par. 3. The doctor is entitled to keep a supply of narcotic drugs in his own consulting room, provided he complies with the provisions of the Narcotic Control Regulations.
Relevant law: Narcotic Control Regulations.
Art. 4. Any person who desires to be a narcotic dealer shall obtain the licenses in accordance with each kind of activities.
Art. 6. No license of a narcotic dealer shall be granted to a person who himself corresponds to or employs as his chief technician such person as falling under either of the following items:
1) A person chronically poisoned by narcotics.
2) A person who has been once convicted of any crime and subjected to penal servitude, or major fine.
Art. 7. No license of a narcotic dealer may be granted to a person who himself corresponds to or employs as his chief technician such person as falling under either of the following items except as specifically authorized by the Minister of Welfare:
1) A person who has been subjected to minor fine or detention in connection with narcotics.
2) A person who has once been convicted of any crime or offence in connection with pharmaceutical affairs, other than those coming under Item 2 of Article 6 and the preceding Items of this Article.
Art. 9. Any person who desires to obtain the license for narcotic dealer shall present an application to the Minister of Welfare through the Local Governor of the district where he lives or has his business office, together with the following certificates:

1) In case the applicant is himself or employs a physician, dentist, veterinary surgeon or pharmacist, a copy of the license certificate of physician, dentist, veterinary surgeon or pharmacist shall be presented.

Art. 10. In case the Minister of Welfare grants a license for the applicant, the name of license shall be entered in the Register of Narcotic Dealers, and the license certificate shall be issued. The license certificate thus issued can be neither transferred nor loaned.

Art. 11. The items to be entered in the Register of Narcotic Dealers are as follows:

1) Date and number of registration.
2) Name and address of the licensee.
3) Name of the chief technician. (In case no chief technician is employed, the reason shall be stated.)
4) Classification of the narcotic dealer.
5) The reason for and date of the annulment of license or the suspension of activities.
6) The reason for and date of the reissuance of license certificate.
7) The reason for and date of cancellation of the registration.

Art. 12. Narcotic dealers shall, in case where their names are entered in the Register of Narcotic Dealers, pay the registration tax, in accordance with classification as shown below:

Annual tax rate (in yen unit)	Person liable
500	Narcotic compounder of producer
500	Narcotic central wholesale dealer
300	Narcotic local wholesale dealer
30	Narcotic retail dealer
30	Narcotic practitioner

Art. 13. The license of narcotic dealer shall be renewed annually and shall be valid during the period from 1st January to 31st December inclusive.

Art. 17. In case of narcotic dealer intends to apply for annulment of license, he shall file an application with a statement thereof together with the license certificate to the Minister of Welfare through the Local Governor of the district where he lives or has his business office.

In case of death, or dissolution of a narcotic dealer, the person responsible to notify or the liquidator shall notify the fact together with the license certificate to the Minister of Welfare through the Local Governor of the district where the narcotic dealer lived or had his business office within ten days.

The Minister of Welfare shall cancel the registration when he annuls license or receives notice prescribed in the preceding Paragraph.

Art. 34. A narcotic practitioner shall not dispense narcotics for purpose other than medical treatment towards other persons or live-stocks.

In the preceding Paragraph a narcotic practitioner shall not prescribe, dispense, sell, give away or otherwise distribute narcotic drugs except from an original sealed package as provided in this Regulation and in the course of his professional practice only.

Art. 35. A narcotic practitioner shall not dispense narcotics towards a narcotic poisoned person for the purpose of relieving him from poisoning or curing poisoning.

Art. 36. In case of delivering a narcotic prescription, a narcotic practitioner shall inscribe that he is lawfully entitled to be a narcotic dealer in the prescription with his signature.

Art. 40. A narcotic dealer shall not make transaction of narcotics with any other narcotic dealer unless the buyer delivers to the seller the form which the buyer has obtained from the Government, and has properly completed the same and verified it with his signature.

A narcotic dealer shall obtain the form prescribed in the preceding Paragraph from the Local Governor of the district where he lives or has his business office.

Art. 46. A narcotic practitioner, a narcotic retail dealer, and a narcotic research worker shall present to the Minister of Welfare a report stating the matters as shown below on 31 January, through the Local Governor of the district where he lives or has his business office:

1) Description and quantity of article of narcotics existent at the beginning of the preceding year.

2) Description and quantity of article of narcotics bought and sold during the preceding year.

3) Description and quantity of article of narcotics existent at the end of the preceding year.

Art. 47. A narcotic dealer shall demonstrate himself as a narcotic dealer by means of hanging out his license certificate in his business office.

Art. 48. Narcotics shall be kept in a safely locked place, apart from other medicines.

Art. 49. All documents delivered to narcotic dealer according to the provisions of Article 40 shall be kept in hand at least five years.

Art. 51. A narcotic practitioner shall keep all narcotic prescriptions and records showing name, address and diagnosis of all patients receiving narcotics, date and amount received at least five years.

A dealer in exempt narcotic preparations shall keep all documents delivered to him according to the provisions of Article 37 at least five years.

Art. 59. Any person, who is entitled to compound, produce, sell, deliver, dispense, or distribute narcotics by the Medical Law on the date of promulgation of this Regulation, shall present a report pertaining to the description of article of narcotics and quantity thereof on hand at the above-mentioned date to the Minister of Welfare through the Local Governor of the district where he lives or has his business office, within thirty days after the promulgation of this Regulation, 19 June 1946.

Art. 60. Any person, who is entitled to sell, deliver, dispense, or distribute narcotics by the Medical Law on the date of promulgation of this Regulation and desires to be a narcotic dealer, shall obtain the license in accordance with the provisions of Article 4 within thirty days after the promulgation of this Regulation.

Only a person who presents an application for narcotic dealers in accordance with the preceding Paragraph can sell, deliver, dispense or distribute narcotics as ever till the said person obtains the license.

Art. 61. Any person, who is entitled to compound, produce, sell, deliver, dispense or distribute narcotics by the Medical Law on the date of promulgation of this Regulation and does not desire to be a narcotic dealer, shall transfer narcotics on hand to a person appointed by the Minister of Welfare.

Remarks:

It is expected that in the near future, an addition will be made to the present Narcotic Control Regulations in the form of a law similar to Section No. 17 (Commitment of Addicts for Treatment) of the Uniform State Laws of the United States of America.

FOR THE SUPREME COMMANDER:

1 Incl
Ministry of Welfare Ordinance
No. 25 (in duplicate)

R. G. HERSEY
Lt. Col AGD
Asst Adj Gen

COPY

OFFICIAL GAZETTE

ENGLISH EDITION Government Printing Bureau

EXTRA WEDNESDAY, JUNE 19, 1946

MINISTERIAL ORDINANCE

* * *

Ministry of Welfare Ordinance No. 25

June 19, 1946

The Narcotic Control Regulation based on the Imperial Ordinance No. 542, dated twentieth years of Showa, will be decided as follows:

Minister of Welfare
Yoshinari Kawai

Art. 1. Matters relating to the compounding, production, sale, delivery, dispensing (including the delivery of a narcotic prescription) or distribution of narcotics shall be provided by this Ministry Regulation.

Art. 2. The term "Narcotics" or "Narcotic Drugs" means opium or coca leaves, or any compounds, manufacture, salt, derivative or preparation thereof or marihuana. The term "Marihuana" means all parts of the plant Connavis (sic) Sativa L, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or coke made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or coke, or the sterilized seed of such plant which is incapable of germination.

Art. 3. The word "Narcotic Dealer" as used in this Regulation shall include a person who may be lawfully entitled to compound, produce, sell, deal in, deliver, dispense or otherwise distribute narcotics or narcotic drugs.

In accordance with the kind of activities, narcotic dealers shall be classified into narcotic compounder or producer, narcotic central wholesale dealer, narcotic local wholesale dealer, narcotic retail dealer, narcotic practitioner, dealer in exempt narcotic preparations, and narcotic research worker. A narcotic compounder is a person, who by compounding or mixing, produces narcotic drugs or preparations for sale or distribution in original sealed packages as provided for in this Regulation.

A narcotic producer is a person who produces narcotic drugs or preparations to be sold not by mixing or compounding, but

merely transferring the contents of one package or of a number of packages to one or more packages of the same or of greater or smaller size.

A narcotic wholesale dealer (including central and local) is a person who sells or offers for sale narcotic drugs or preparations in original sealed packages.

A narcotic retail dealer is a person who sells narcotic drugs or preparations from original sealed package with or without compounding, pursuant to prescriptions written by registered narcotic practitioners in the course of professional practice.

A narcotic proctitioner (sic) is a physician, dentist, or veterinary surgeon who prescribes, dispenses, delivers or administers narcotic drugs or preparations.

A dealer in exempt narcotic preparations is a person who sells exempt narcotic preparations.

The term "Exempt Narcotic Preparations" means the preparations and remedies which contain not more than 0.4 per cent of opium, or not more than 0.05 per cent of morphine, or not more than 0.2 per cent of codeine, hydrocodeine or any salt or derivative of any of them provided the preparation shall contain active medicinal drugs other than narcotics to confer upon the preparation valuable medicinal qualities other than those possessed by the narcotic drug alone.

A narcotic research worker is a person who uses narcotics or narcotic drugs for the purpose of his scientific researches.

Art. 4. Any person who desires to be a narcotic dealer shall obtain the licenses in accordance with each kind of activities. In case, however, where the compounder or producer sells the narcotic drugs compounded or produced to a central wholesale dealer by wholesale, his activities may not be deemed as activities of a wholesale dealer.

Art. 5. The license of a narcotic dealer shall be given to the following persons when approved by the Minister of Welfare:

1) The license for narcotic compounder or producer shall be given to a manufacturer of medicines who is himself a licensed pharmacist or employs a licensed pharmacist.

2) The license for narcotic wholesale dealer shall be given to a seller of medicines who is himself a licensed pharmacist or employs a licensed pharmacist.

3) The license for narcotic retail dealer shall be given to an administrator of a licensed pharmacy who is himself a licensed pharmacist or employs a licensed pharmacist.

4) The license for narcotic practitioner shall be given to a physician, dentist, or veterinary surgeon.

5) The license for dealer in exempt narcotic preparations shall

be given to a seller of medicines.

6) The license for narcotic research worker shall be given to a research worker approved by the Minister of Welfare as having acquired necessary knowledge and technics in handling narcotics.

Art. 6. No license of a narcotic dealer shall be granted to a person who himself corresponds to or employs as his chief technician such person as falling under either of the following items:

1) A person chronically poisoned by narcotics.

2) A person who has been once convicted of any crime and subjected to penal servitude, or major fine.

Art. 7. No license of a narcotic dealer may be granted to a person who himself corresponds to or emyloys (sic) as his chief technician such person as falling under either of the following items except as specifically authorized by the Minister of Welfare:

1) A person who has been subjected to minor fine or detention in connection with narcotics.

2) A person who has once been convicted of any crime or offence in connection with pharmaceutical affairs, other than those coming under Item 2 of Article 6 and the preceding Items of this Article.

Art. 8. The Ministry of Welfare shall keep the Register of Narcotic Dealers in which shall be entered matters and items relating to the license of the registered narcotic dealers.

Art. 9. Any person who desires to obtain the license for narcotic dealer shall present an application to the Minister of Welfare through the Local Governor of the district where he lives or has his business office, together with the following certificates:

1) In case the applicant is himself or employs a physician, dentist, veterinary surgeon or pharmacist, a copy of the license certificate of physician, dentist, veterinary surgeon or pharmacist shall be presented.

2) In case the applicant is a research worker, an authoritative certificate proving his profession, together with his curriculum vitae and a copy of his census abstract shall be presented.

3) In case the applicant is a seller of medicines who is himself neither pharmacist nor employs pharmacist, a copy of his license certificate of seller of medicines, together with his census abstract shall be presented.

Art. 10. In case the Minister of Welfare grants a license for the applicant, the name of licensee shall be entered in the Register of Narcotic Dealers, and the license certificate shall be issued. The license certificate thus issued can be neither transfarred (sic) nor loaned.

Art. 11. The items to be entered in the Register of Narcotic Dealers are as follows:

1) Date and number of registration.

2) Name and address of the licensee.

3) Name of the chief technician. (In case no chief technician is employed, the reason shall be stated.)

4) Classification of the narcotic dealer.

5) The reason for and date of the annulment of license or the suspension of activities.

6) The reason for and date of the reissuance of license certificate.

7) The reason for and date of cancellation of the registration.

Art. 12. Narcotic dealers shall, in case where their names are entered in the Register of Narcotic Dealers, pay the registration tax, in accordance with classification as shown below:

Annual tax rate (in yen unit)	Person liable
500	Narcotic compounder of producer
500	Narcotic central wholesale dealer
300	Narcotic local wholesale dealer
30	Narcotic retail dealer
30	Narcotic practitioner
30	Dealer in exempt narcotic preparations
10	Narcotic research worker

Art. 13. The license of narcotic dealer shall be renewed annually and shall be valid during the period from 1st January to 31st December inclusive.

Art. 14. Any application for alteration of the matters in Item 2 or 3 of Article 11 shall be filed by a narcotic dealer with a statement thereof together with the license certificate within one month to the Minister of Welfare through the Local Governor of the district where the licensee lives or has his business office.

Any person who files an apolication for alteration of registered items under the provision prescribed in the preceding Paragraph shall pay a fee of five yen.

In case of Paragraph 1 a corrected license certificate shall be issued.

Art. 15. In case the license certificate is damaged or lost the application for reissuance must be filed within one month to the Minister of Welfare through the Local Governor of the district where the applicant lives or has his business office with a statement thereof, and in case of damage, additionally with the damaged license certificate.

Any person who files an application for reissuance under the provision prescribed in the preceding Paragraph shall pay a fee of five yen.

In case of discovery of the lost license certificate after having filed an application for reissuance under the provision prescribed in Paragraph 1 the applicant shall return the license certificate discovered to the Minister of Welfare through the Local Governor of the district where he lives or has his business office within ten days.

Art. 16. Any person who files an application as prescribed in Article 9, Article 14, or the preceding Article shall affix the revenue stamp corresponding to the registration tax or the fee to the application.

The registration tax or the fee once paid shall not be repaid.

Art. 17. In case a narcotic dealer intends to apply for annulment of license, he shall file an application with a statement thereof together with the license certificate to the Minister of Welfare through the Local Governor of the district where he lives or has his business office.

In case of death, or dissolution of a narcotic dealer, the person responsible to notify or the liquidator shall notify the fact together with the license certificate to the Minister of Welfare through the Local Governor of the district where the narcotic dealer lived or had his business office within ten days.

The Minister of Welfare shall cancel the registration when he annuls license or receives notice prescribed in the preceding Paragraph.

Art. 18. In case the license of a narcotic dealer has been cancelled or the license has lost its validity, the narcotic dealer shall return the license certificate within ten days to the Minister of Welfare through the Local Governor of the district where he lives or has his business office.

Art. 19. In case the activities of a narcotic dealer have been suspended, the narcotic dealer shall present the license certificate to the Local Governor of the district where he lives or has his business office within ten days.

In case as provided for in the preceding Paragraph, the Local Governor shall return the license certificate to the narcotic dealer after the expiration of the period, indicating on the license certificate the main reasons for the suspension

of the activities of the narcotic dealer, with his signature properly affixed.

Art. 20. In case the license of a narcotic dealer has been cancelled, the license has lost its validity without filling a new application for license, or in case a narcotic dealer has died or dissolved, the person himself, the head of a family, the heir or the liquidator shall transfer all the remaining narcotics to a person appointed by the Minister of Welfare.

Art. 21. The procedures prescribed in the preceding Article shall be followed by the administrator when the head of a family or the heir is absent or remained undetermined.

Art. 22. In case a narcotic dealer desires to obtain a new license after his license has lost its validity, he shall submit to the Minister of Welfare the report pertaining to the description of article of narcotics and quantity thereof on hand at the date of application besides the application prescribed in Article 9 through the Local Governor of the district where he lives or has his business office.

Art. 23. Any person other than narcotic dealers is prohibited from compounding, producing, selling, delivering, or dispensing narcotics.

Art. 24. A narcotic compounder or producer shall neither sell nor deliver narcotic drugs which they have compounded and produced unless the narcotic drugs are packed in receptacles, sealed with stamps fixed by the Government. This rule, however, shall not apply to the exempt narcotic preparations.

Art. 25. A narcotic compounder or producer shall indicate on the receptacles as well as on the wrappings the following particulars in addition to such items as are prescribed to be indicated by the Enforcement Regulation of Medical Law. Articles 65 and 98:

1) (Japanese character)

2) Date of compounding or producing and the number or receptacles.

3) Percentage of narcotic contained.

Art. 26. A narcotic compounder or producer shall apply for permission quarterly (every year beginning January) regarding the following items to the Minister of Welfare through the Local Governor of the district where he lives or has his business office:

1) Description of article of narcotics and quantity thereof to be compounded or produced.

2) Kind of receptacles to be used and numbers of each kind of receptacles.

Art. 27. In case the permission prescribed in the preceding Article has been granted, the narcotic compounder or producer

shall apply for stamps to be used for seal as provided for in the provisions of Article 24 to the Local Governor of the district where he lives or has his business office with a copy of permit.

Art. 28. A narcotic compounder or producer who has secured the permit prescribed in Article 26 shall report within twenty days after the expiration of each period the following items to the Minister of Welfare through the Local Governor of the district where he lives or has his business office:

1) Description of article of narcotics and quantity thereof, having been compounded or produced.

2) Kind of receptacles used and numbers of each kind of receptacles.

Art. 29. A narcotic compounder or producer shall neither sell nor deliver narcotics to any person other than a narcotic central wholesale dealer.

Art. 30. A narcotic central wholesale dealer shall neither sell nor deliver narcotics to any person other than a narcotic local wholesale dealer.

Art. 31. A narcotic local wholesale dealer shall neither sell nor deliver narcotics to any person other than a narcotic retail dealer, a narcotic practitioner, a dealer in exempt narcotic preparations, or a narcotic research worker residing within the same prefecture or district.

Art. 32. A narcotic central wholesale dealer or a narcotic local wholesale dealer shall not open, reseal, change or damage the seal of a sealed narcotic receptacle.

A narcotic central wholesale dealer, or a narcotic local wholesale dealer shall neither sell nor deliver the unsealed narcotics or the sealed narcotics of which the seal has become ineffective or the receptacle has been opened resealed, changed or damaged.

Art. 33. A narcotic retail dealer shall neither sell nor deliver narcotics which are not compounded in accordance with the prescription of a narcotic practitioner.

Art. 34. A narcotic practitioner shall not dispense narcotics for purposes other than medical treatment towards other persons or livestocks.

In the preceding Paragraph a narcotic practitioner shall not prescribe, dispense, sell, give away or otherwise distribute narcotic drugs except from an original sealed package as provided in this Regulation and in the course of his professional practice only.

Art. 35. A narcotic practitioner shall not dispense narcotics towards a narcotic poisoned person for the purpose of relievhim from poisoning or curing poisoning.

Art. 36. In case of delivering a narcotic prescription, a narcotic practitioner shall inscribe that he is lawfully entitled to be a narcotic dealer in the prescription with his signature.

Art. 37. A dealer in exempt narcotic preparations shall neither sell nor deliver exempt narcotic preparations to any person who requires exempt narcotic preparations unless he represents to the dealer in exempt narcotic preparations a request in writing stating the name of the article, the amount thereof, date, his name and address with his signatuae (sic) duly affixed.

Art. 38. A narcotic research worker shall not use narcotics for any purpose than research.

Art. 39. Narcotic dealers who have accumulated a stock of narcotics beyond their necessities, may by order of the Minister of Welfare be directed to dispose of the surplus stock by sale to another dealer.

Art. 40. A narcotic dealer shall not make transaction of narcotics with any other narcotic dealer unless the buyer delivers to the seller the form which the buyer has obtained from the Government, and has properly completed the same and verified it with his signature.

A narcotic dealer shall obtain the form prescribed in the preceding Paragraph from the Local Governor of the district where he lives or has his business office.

Art. 41. In case where the quality of narcotic is found to have deteriorated, or the seal or the receptacle thereof is found to be damaged after transaction, a narcotic dealer who has bought the aforesaid narcotic shall ask the narcotic compounder or producer concerned to replace the same with a new one.

The narcotic compounder or producer shall not decline such demand.

Art. 42. Any person, unless he comes under any of the following item, shall not possess or own narcotics:

1) A narcotic dealer

2) A person who has obtained the delivery of narcotics under the provisions of Article 33

3) A person who has obtained the delivery of narcotics under the provisions of Article 34

4) A person who has obtained the delivery of narcotics under the provisions of Article 37

Art. 43. A narcotic compounder or producer shall present to the Minister of Welfare a report describing the following matters not later than 10th of every month through the Local Governor of the district where the narcotic compounder or producer lives or has his business office:

1) Description of article of narcotics, and quantity thereof existent at the beginning of the preceding month.

2) Description of article of narcotics which a narcotic compounder or producer had bought and sold during the preceding month, and the quantity thereof, and the date on which he had bought and sold, as well as the name of the place of business from and to which he had bought and sold narcotic.

3) Description of article of narcotics, and quantity thereof existent at the end of the preceding month.

Art. 44. A narcotic central wholesale dealer, a narcotic local wholesale dealer, or a wholesale dealer in exempt narcotic preparations shall present to the Minister of Welfare a report stating the matters shown below not later than the 10th of every month, through the Local Governor of the district where he lives or has his business office:

1) Description and quantity of article of narcotics existent at the beginning of preceding month.

2) Description and quantity of article of narcotics bought and sold during the preceding month, and the date on which narcotic was bought and sold, and the name of the place of business from and to which narcotic was bought and sold.

3) Description and quantity of narcotic existent at the end of the preceding month.

Art. 45. A narcotic central wholesale dealer or a narcotic lacal (sic) wholesale dealer shall present to the Minister of Welfare through the Local Governor of the district where he lives or has his business office, a report stating the description and quantity of article of narcotics bought and sold from January to June, and from July to December, twice yearly, within twenty days after the end of June and the end of December.

Art. 46. A narcotic practitioner, a narcotic retail dealer, and a narcotic research worker shall present to the Minister of Welfare a report stating the matters as shown below on 31 January, through the Local Governor of the district where he lives or has his business office:

1) Description and quantity of article of narcotics existent at the beginning of the preceding year.

2) Description and quantity of article of narcotics bought and sold during the preceding year.

3) Description and quantity of article of narcotics existent at the end of the preceding year.

Art. 47. A narcotic dealer shall demonstrate himself as a narcotic dealer by means of hanging out his license certificate in his business office.

Art. 48. Narcotics shall be kept in a safely locked place, apart from other medicines.

Art. 49. All documents delivered to narcotic dealer according to the provisions of Article 40 shall be kept in hand at least five years.

Art. 50. A narcotic dealer (except a narcotic practitioner) shall keep books for all dealings pertaining to narcotics, such as the description of article of narcotics and quantity thereof, date, and from whom it was bought and to whom it was sold. These books shall be kept at least five years.

Art. 51. A narcotic practitioner shall keep all narcotic prescriptions and records showing name, address and diagnosis of all patients receiving narcotics, date and amount received at least five years.

A dealer in exempt narcotic preparations shall keep all documents delivered to him according to the provisions of Article 37 at least five years.

Art. 52. The Minister of Welfare or the Local Governor concerned may, whenever he deems it necessary for supervision of narcotic, issue to a narcotic dealer instructions in regard to compounding, production, sale, delivery concerned and dispensation of narcotics.

Art. 53. The Minister of Welfare or the Local Governor concerned may confiscate narcotics compounded, produced, sold, delivered, dispensed, owned, or possessed in contravention of the provisions of the present Regulation and may take other necessary measure in the case of such contravention.

Art. 54. The Minister of Welfare or the Local Governor concerned may, wherever necessary, cause an competent official to inspect a drug store, dispensary, plant, shop, warehouse, or other places for the purpose of checking up its structure, facilities, equipments, conditions of occupations and activities, or documentary books and papers or other articles, or may cause the competent official to get free of charge the necessary amount of narcotic for an examination purpose.

The Minister of Welfare or the Local Governor concerned shall let the competent official have his identification with him in case where the Minister of Welfare or the Local Governor intends to dispatch him to make the said inspection and examination in accordance with the provisions of the preceding Paragraph.

Art. 55. When a narcotic dealer has been convicted of a crime or an offence in connection with his business, the Minister of Welfare may annul the license of the narcotic dealer. When a narcotic dealer has been accused of a crime or an offence in connection with his business, the Minister of Welfare or the Local Governor may suspend the activities of the narcotic dealer pending final disposition of the case.

Art. 56. A person falling under either of the followings shall be subject to penal servitude not exceeding three years or a fine not exceeding 5,000 yen, or both:

1) A person who has violated the provisions of Article 10, Paragraph 2, Article 14, Article 15, Paragraph 1 or 3, Article 18, Article 19, Paragraph 1, Articles 20, 21, Articles 23 to 27, Articles 29 to 42, Articles 47 to 51, and Article 61.

2) A person who has made false statement in an application or books and documents as under the provisions of Article 9, 14, 15 or 26 and a person who has made false statement pertaining to his name, address, and so on in the books and documents as under the provisions of Article 37 or in the form as under the provisions of Article 40.

3) A person who, in violation of the provisions of Articles 22, 28, Articles 43 to 46, and Article 59, has neglected reporting or made a false report.

4) A person who has violated directions as under the provisions of Article 52.

5) A person who has refused, hindered, or evaded the disposition as under the provisions of Article 53, or a person who has refused, hindered, or evaded the inspection or being got narcotics free of charge by the competent officials as uuder (sic) the provisions of Article 54.

6) A person who, in violation of the provisions of Article 55, has engaged in his activities during the suspension of his activities.

Art. 57. If fine (sic) representative of a juridical person or a substitute for or employee of a juridical person or a person within the scope of his employment violates the provisions of Paragraphs 1 to 4, or 6 of the preceding Article applying to the business of the juridical person or person, not only he is punished but also the juridical person or person may be punished according to the provisions of the preceding Article.

Supplementary Provisions:

Art. 58. This present Regulation shall come into effect on the date of promulgation.

Art. 59. Any person, who is entitled to compound, produce, sell, deliver, dispense, or distribute narcotics by the Medical Law on the date of promulgation of this Regulation, shall present a report pertaining to the description of article of narcotics and quantity thereof on hand at the above-mentioned date to the Minister of Welfare through the Local Governor of the district where he lives or has his business office, within thirty days after the promulgation of this Regulation.

Art. 60. Any person, who is entitled to sell, deliver, dispense, or distribute narcotics by the Medical Law on the date of promulgation of this Regulation and desires to be a narcotic dealer, shall obtain the license in accordance with the provisions of Article 4 within thirty days after the promulgation of this Regulation.

Only a person who presents an application for narcotic dealers in accordance with the preceding Paragraph can sell, deliver, dispense or distribute narcotics as ever till the said person obtains the license.

Art. 61. Any person, who is entitled to compound, produce, sell, deliver, dispense or distribute narcotics by the Medical Law on the date of promulgation of this Regulation and does not desire to be a narcotic dealer, shall transfer narcotics on hand to a person appointed by the Minister of Welfare.

Art. 62. Articles 1 & 2 of the Welfare Ministry Regulation No. 46 issued in 1945 are changed as follows:

Art. 1. Narcotics in this Regulation mean opium-poppy or coca tree (including plant and seed), opium or coca leaves, or any compounds, manufacture, salt, derivative or preparation of opium or coca leaves or Marihuana.

The term "Marihuana" means all parts of plant Cannavis (sic) Sativa L, whether growing or not; the seed thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seed or resin.

Art. 2. Matters pertaining to the cultivation of plants from which narcotics are made, and to manufacture, import, export, transportation, delivery, dispensing, or sale of narcotics shall be provided by the Medical Law, and the Enforcement Regulation of Medical Law besides by this Regulation.

Art. 63. Article 1, Paragraph 2 of the Welfare Ministry Regulation No. 8 issued in 1946 is changed as follows:

Narocotics (sic) in the preceding Paragraph are those regulated by Article 2 of this Regulation.

Art. 64. The Enforcement Regulation of Medical Law is changed as follows:

The provisions of Articles 111 to 130, 132, 133 and 137 are struck out. Article 138, Item 1 is changed as follows:

"A person who has violated the provisions of Article 131." In Article 138 "or Article 133" of Item 2 or 3 and "any person who cultivates coca trees for the purpose of acquiring coca leaves" of Item 4 are struck out.

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Ministry of Welfare Ordinance No. 27

June 19, 1946

The following amendment is made to Ordinance No. 21, Welfare Ministry, dated June 1932, Fifth Amendment Pharmacopoeia Japanica.

The following four articles on the list of standing medicines (List I) are struck out:

Cocaine Hydrochloride

Codeine Phosphate

Morphine Hydrochloride

Tincture of Opium

Supplementary provision:

The present Ordinance shall come into effect as from the day of its promulgation.

Minister of Welfare

Yoshinari Kawai

* * *

Korea
Drug Addiction

HEADQUARTERS
SOUTH KOREA INTERIM GOVERNMENT
Department of Public Health and Welfare
APO 235 Unit 2

Commission on Narcotic Drugs

Answers to
Questionnaire Regarding Legal and Practical Standpoint
Taken Up Regarding Drug Addiction and Drug Addicts

1. (a) Non-medical consumption of narcotic drugs is not punishable as such. However, no person is permitted to have narcotics in his possession unless licensed or has had a proper prescription filled by a licensed pharmacist - and no licensed practitioner is permitted to administer or prescribe narcotics to addicts.

(b) The fact of addiction or habitual recourse to drugs is not now punishable by law. However, a hospital is being made ready for treatment of addicts and laws are being formulated so that when facilities are adequate to properly care for addicts, appropriate laws will be enacted to punish addicts or commit them to proper hospitals.

(c) At present drug addiction and the drug addict are not defined in any laws or regulations.

(Note: Penalties under (a) and (b) are: "suffer such punishment as the court shall determine"; paragraph 25 PHO #3)

2. Neither non-medical nor public consumption of narcotics are specifically mentioned in the law.

3. This will be a matter for each court to decide in connection with each case coming before it.

4. (a) Every practitioner shall report to the provincial narcotic enforcement agency the name, address and diagnosis of each person he diagnosed as being an addict. (Paragraph "g" Section 4 of PHO #3). The provincial agency will maintain a registry file of such persons and forward pertinent information about each such addict to the Registration Sub-section of the National Narcotic Control Section of the Department of Public Health and Welfare. The purpose of the registration at present is to obtain statistical data so that adequate facilities to properly treat such persons as desire treatment may be provided. Further, this information will serve as a basis to assist in directing the efforts of the narcotic control agencies in stamping out illicit traffic.

Incl 2 2 Incls:
1. Ordinance No. 119 (in duplicate)
2. Public Health Ordinance No. 3 (in duplicate)

(b) At present there is no institutional treatment for addicts. As stated above, a large hospital - 400 beds - is being made ready as exclusively a narcotic addicts facility where treatment will be made available to volunteers and where addicts can be sentenced by courts. Steps are being taken to have a similar facility as a section of certain designated provincial hospitals. It is merely a "hope" at this time but plans are being made to take over a small island off the coast of Korea and develop there a large facility , including the entire island, for treatment and rehabilitation of narcotic addicts.

(c) No compulsory or voluntary treatment exists at this time.

(d) No provisions are made; addicts coming under surveillance of police are treated as any other criminals.

5. Doctors are prohibited by paragraph "g", Section 4 to treat addicts with narcotics for the purpose of curing addiction.

6. No regulations have been promulgated with respect to treatment of addicts by doctors except as noted in 5 above.

(a) No regulation pertains to treatment by doctors.

(b) No narcotic may be prescribed by doctors.

(c) The doctor is obliged to notify the Pharmaceutical Affairs Section of the appropriate provincial government. (Paragraph "g", Section 4, PHO #3).

(d) There are no particulars of any other measures which are compulsory for doctors treating addicts.

7. The doctor has the right and responsibility to administer or prescribe narcotic drugs in any case where a narcotic is the most efficacious or the commonly accepted drug of choice, provided the narcotic is not administered to an addict for the purpose of curing his addiction. The doctor may prescribe or administer narcotics for cancer and other diseases or conditions in accordance with commonly accepted practice, even though addiction may be a factor.

Use of narcotics as a sedative or to allay pain is left to the discretion of the physician. No supervision or prohibition are imposed. Current and timely information on such usage will be disseminated by the narcotic section through professional periodicals and the several professional organizations so as to minimize harm that may be done by unjudicious or inadvertant use of narcotics in this way.

Doctors are permitted to keep a supply of narcotics for administration only. A stock level, 3 months normal supply, will be permitted to be kept on hand by each practitioner. A record will be maintained by the provincial narcotic control agency of this stock level and the practitioners stock on hand is subject to inspection by narcotic agents at any time. Amounts in excess of the approved stock level will be removed from the practitioners possession.

HEADQUARTERS
UNITED STATES ARMY MILITARY
GOVERNMENT IN KOREA
Office of the Military Governor
Seoul, Korea

ORDINANCE
NUMBER 119

11 November 1946

NARCOTICS CONTROL

SECTION I. *Purpose.* The purpose of this ordinance is to control all sources of and activities connected with narcotic drugs in Korea south of 38° north latitude, and to limit the supply and uses thereof to legitimate medical and scientific requirements.

SECTION II. *Transfer of Narcotics Control Section; Duties and Functions.* The Narcotics Control Section of the Monopoly Bureau of the Department of Finance of the Government of Korea, together with all records, property and Korean personnel thereof, is hereby transferred to the Bureau of Pharmaceutical Affairs of the Department of Public Health and Welfare of the Government of Korea. All duties and functions thereof, not inconsistent with provisions of this ordinance, are likewise transferred. The Narcotics Control Section shall have the duty and function of administering the provisions of this ordinance and of all rules and regulations issued pursuant hereto by the Director of the Department of Public Health and Welfare.

SECTION III. *Definition of Narcotic Drugs:* The term "narcotic drugs", as used herein, includes opium, morphine, heroin, codeine, cocaine, marihuana, and any component, derivative or preparation of any thereof.

SECTION IV. *Opium Poppy and Marihuana Control.* Planting, cultivation, growth, harvesting, and any other activity which facilitates the growth of marihuana (*Cannabis sativa*) or of the opium poppy (*Papaver somniferum*) or any other plant which is the source of opium or cocaine is hereby prohibited.

a. It shall be unlawful for any person to produce or attempt to produce the opium poppy or marihuana, or to permit the production thereof in or upon any place owned, occupied, used or controlled by him.

b. It shall be unlawful for any person to sell, import, export, transfer, convey any interest in, give away, purchase or otherwise obtain opium poppy

Incl 1[2] of Incl 2

or marihuana seed for the purpose of opium poppy or marihuana production.

c. It shall be unlawful for any person to sell, import, export, transfer, convey any interest in, give away, purchase or otherwise obtain opium poppy or marihuana (or parts or seeds thereof); or to manufacture, compound or extract opium products from the opium poppy or products from marihuana (or parts or seeds thereof); except to surrender and deliver up the same to the police or to the Director of the Department of Public Health and Welfare, or their duly authorized agents.

d. Any opium poppies or marihuana (or parts or seeds thereof) which have been produced or otherwise obtained heretofore, and which may be produced or otherwise obtained hereafter in violation of the provisions hereof, shall be seized by and forfeited to the Government of Korea.

e. The failure, upon demand by the police or the Director of the Department of Public Health and Welfare or their duly authorized agents, of the person in occupancy or control of land or premises upon which opium poppies or marihuana (or parts or seeds thereof) are being produced or stored, to surrender or deliver up such poppies or marihuana (or parts or seeds thereof) shall be sufficient basis for the seizure and forfeiture thereof.

f. The police or the Director of the Department of Public Health and Welfare, or their duly authorized agents, shall have authority to enter upon any land (but not a dwelling, unless pursuant to a search warrant issued according to law) where opium poppies or marihuana (or parts or seeds thereof) are being produced or stored, for the purpose of enforcing the provisions of this section.

g. Any opium poppies or marihuana (or parts or seeds thereof), the owner or owners of which are unknown, seized by or coming into the possession of the Government of Korea in the enforcement of this section, shall be forfeited to said Government.

h. The police, the Director of the Department of Public Health and Welfare and their duly authorized agents, are hereby directed to destroy any opium poppies or marihuana (or parts or seeds thereof) seized by and forfeited to the Government of Korea under this section, or to deliver for medical or scientific purposes such opium poppies or marihuana (or parts or seeds thereof) to any political subdivision, agency or instrumentality of the Government, upon proper application therefor under such regulations as may be prescribed by the Director of the Department of Public Health and Welfare.

SECTION V. *Control of Heroin, Crude Opium, Opium Marihuana, and of Implements for Smoking Opium.* Possession, control, production, manufacture,

purchase, procurement, importation, receipt, use, transportation, distribution, sale, gift, transfer, exportation of or any other activity connected with heroin (*diacetylmorphine hydrochloride*) or marihuana, or any salt, compound, preparation, derivative, or combination thereof, crude, semiprocessed, or processed opium, smoking opium or opium prepared for smoking, or any implement for smoking opium or marihuana (except the surrendering and delivering up of such drugs or implements to the police, the Director of the Department of Public Health and Welfare or their duly authorized agents), are hereby prohibited.

a. It shall be unlawful for any person to smoke opium, opium tobacco or marihuana, or to take or administer to himself or another, heroin or marihuana (or any compound, salt, derivative or preparation thereof).

b. It shall be unlawful for any person to attempt, cause or facilitate any of the activities prohibited in this section, or to permit any such activities in or upon any place owned, occupied, used or controlled by him.

c. Any heroin or marihuana (or salt, compound, derivative or preparation thereof), crude, processed or semi-processed opium, smoking opium, or opium prepared for smoking, or any implements for smoking opium or marihuana which have been produced or otherwise obtained heretofore, and which may be produced or otherwise obtained hereafter in violation of the provisions hereof, shall be seized by and forfeited to the Government of Korea, and the provisions of paragraphs *e* through *h* of Section IV hereof shall apply, *mutatis mutandis*, to the seizure, forfeiture and disposition thereof.

SECTION VI. *Unlicensed Transactions in Narcotic Drugs Prohibited: Exceptions.* In addition to the foregoing prohibitions, it shall be unlawful for any person without an appropriate license or other proper authority from the Director of the Department of Public Health and Welfare to possess, produce, manufacture, compound, purchase or in any manner obtain, or to sell, transfer, send, ship, carry, transport or deliver, convey any interest in, or give away any narcotic drug, or to attempt, offer to do, cause or facilitate any of such acts or any other act prohibited under this ordinance, or to permit any of said acts in or upon any place owned, occupied, used, maintained or controlled by him, with the following exceptions:

a. Any patient who possesses narcotic drugs dispensed to him for medical purposes by a duly licensed physician, dentist, veterinarian or other authorised practitioner in the course of professional practice, or by a duly licensed pharmacist pursuant to a duly issued prescription of a licensed practitioner, or any patient to whom such drugs are administered or prescribed by such practitioner in the course of professional practice;

b. Any public official or employee who possesses narcotic drugs incidental to or within the scope of his official duties;

c. Any common carrier or warehouseman who transports or stores narcotic drugs pursuant to agreement with a person duly licensed under the provisions of this ordinance, or any employee of such common carrier or warehouseman, acting within the scope of his employment;

d. Any employee of a person duly licensed under the provisions of this ordinance, while acting within the scope of his employment.

SECTION VII. *Applications for Licenses; Qualifications of Applicants.* Any person who desires to procure a license to manufacture, import, sell, deal in, dispense, administer, use or possess any narcotic drugs shall apply therefor in such manner and form and pay such fees as the Director of the Department of Public Health and Welfare shall prescribe in regulations published as hereinafter provided.

Licenses shall be issued only to persons who, in the opinion of the Director of the Department of Public Health and Welfare:

a. Possess good moral character; and

b. Possess (*1*) such experience in importing, manufacturing, administering, distributing, marketing or handling narcotic or other medical drugs as a wholesale or retail dealer, practitioner, pharmacist, or laboratory worker duly licensed and lawfully entitled to engage in such activities, and (*2*) such means and facilities for manufacturing, handling, and safeguarding narcotic drugs, as to render reasonably probable the orderly and lawful distribution of narcotic drugs of suitable quality to supply medical and scientific needs, without diversion to illicit channels; and

c. Have complied with such additional requirements as the Director of the Department of Public Health and Welfare shall prescribe as reasonably necessary for the controlled importation, production, manufacture, and distribution of narcotic drugs. Such licenses shall be non-transferable, shall be effective for a period of one year from the date of issue, and may be renewed at the discretion of the Director of the Department of Public Health and Welfare, for a like period.

SECTION VIII. *Issuance of Regulations.* The Director of the Department of Public Health and Welfare shall prepare necessary regulations for carrying out the provisions of this ordinance. Such regulations shall, upon approval of the Military Governor, be published in the *Official Gazette*, and shall have the force and effect of law.

SECTION IX. *Limitation of Licenses.* All licenses issued under authority

of this ordinance shall be limited in number, locality and area, as the Director of the Department of Public Health and Welfare shall determine to be appropriate to supply medical and scientific needs for narcotic drugs, with due regard to provision for reasonable reserves; *provided, however*, that this ordinance shall not be construed to require the Director of the Department of Public Health and Welfare to issue or renew any license or licenses.

SECTION X. *Revocation of Licenses*. The Director of the Department of Public Health and Welfare may at any tine suspend, revoke or refuse to renew any license issued under this ordinance if, after due notice and opportunity for hearing, he finds such action to be in the public interest, or that the licensee has failed to comply with regulations or requirements of law or has failed to maintain requisite qualifications.

SECTION XI. *Seizure and Forfeiture of Narcotic Drugs*. Any narcotic drugs which have been produced or otherwise obtained heretofore, and which may be produced or otherwise obtained hereafter in violation of any of the provisions of this ordinance, shall be seized by and forfeited to the Government of Korea, and the provisions of paragraphs *e* through *h* of Section IV hereof shall apply, *mutatis mutandis*, to the seizure, forfeiture and disposition thereof.

SECTION XII. *Miscellaneous Provisions*.

a. Emergency Requirements. It shall be the duty of the Director of the Department of Public Health and Welfare, whenever in his opinion medical and scientific needs will not be met by licensed importation or production of narcotic drugs, to provide for the acquisition, production, manufacture, use, sale, giving away or other proper distribution of narcotic drugs by the Government of Korea either directly or through and with the approval of the head of any agency of the government, including any government-owned or controlled company.

b. Assistance by Government Agencies. It shall be the duty of all political subdivisions, agencies and instrumentalities of the Government of Korea, whan requested by the Director of the Department of Public Health and Welfare, to furnish such assistance (including technical advice) as will aid in carrying out the purposes of this ordinance.

c. Authorized Activities of Narcotics Control Officials. None of the prohibitions in this ordinance shall apply to any officer or employee of the Narcotics Control Section who, in the performance of his official duties and within the scope of his authority, engages in any business or activity herein described, nor to any other officer or employee of the Government of Korea

who, in the performance of his official duties and within the scope of his authority and with the approval of the Director of the Department of Public Health and Welfare, engages in any business or activity herein described.

SECTION XIII. *Repeal of Inconsistent Laws, &c.* All laws, ordinances, orders, regulations, directives and instructions, and parts thereof which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION XIV. *Penalties.* Any person violating the provisions of this ordinance or of any regulation issued pursuant hereto by the Director of the Department of Public Health and Welfare, and having the effect of law, shall, upon conviction by a Military Occupation Court, suffer such punishment as the Court shall determine.

SECTION XV. *Effective Date.* This ordinance shall be effective on the tenth day after the date appearing hereon.

SEAL
USAMGIK

ARCHER L LERCH
Major General United States Army
Military Governor in Korea

HEADQUARTERS
UNITED STATES ARMY MILITARY
GOVERNMENT IN KOREA
Department of Public Health and Welfare
Seoul, Korea

DEPARTMENT ORDER
NUMBER 3 21 June 1947

NARCOTICS REGULATION

1. *Purpose.* The purpose of this regulation is to implement the control of narcotics pursuant to Ordinance No 119 dated 11 November 1946 (*Narcotics Control*) and all other ordinances relating to narcotics.

2. *Unlicensed Transactions Prohibited.* Except as otherwise provided in Section VI *a-d* (inclusive) of Ordinance No 119 and paragraph 18 *d* of this regulation, no person shall without a license issued pursuant to this regulation and conspicuously displayed at his place of business, possess, produce, manufacture, compound, purchase or in any manner obtain, sell, transfer, send, ship, carry, transport or deliver, convey any interest in, or give away any narcotic drugs, or attempt, offer to do, cause or facilitate any of such acts; and no person shall permit any of said acts to be done without a license, in or upon any place owned, occupied, used, maintained or controlled by him. Nor shall any person sell or deliver narcotic drugs to another person not licensed under this regulation, except as otherwise provided in paragraph 18 hereof.

3. *Issuance of Licenses. a.* The Director of the Department of Public Health and Welfare may issue:

(1) Manufacturers' licenses.
(2) Repackagers' licenses.
(3) Wholesalers' licenses.
(4) Pharmacists' licenses.
(5) Practitioners' licenses.
(6) Research licenses.
(7) Exempt narcotic preparations licenses.

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b. Any person, except as otherwise specifically provided in this regulation, may receive more than one license.

c. A manufacturer's license may be issued to any person who, under the supervision of a duly licensed pharmacist, produces, mixes or in any way processes narcotic drugs for sale to another manufacturer, to a repackager, or to a wholesaler.

d. A repackager's license may be issued to any person who, under the supervision of a duly licensed pharmacist, buys narcotic drugs in bulk and repackages them into smaller packages without mixing or further processing for sale to manufacturers, repackagers or wholesalers.

e. A wholesaler's license may be issued to any person who, under the supervision of a duly licensed pharmacist, deals in medicines generally, buys narcotic drugs and sells them without repackaging to pharmacists, physicians, dentists, veterinary surgeons or research workers and, in the case of exempt narcotic preparations, to licensed drug merchants as defined in sub-paragraph *i* of this paragraph.

f. A pharmacist's license may be issued to a pharmacist otherwise duly licensed to practice pharmacy who dispenses narcotic drugs upon prescription.

g. A practitioner's license may be issued to any physician, dentist or veterinary surgeon duly licensed to practice, who administers or prescribes narcotic drugs in the course of professional treatment; *provided however*, that no person shall prescribe or administer narcotic drugs for a person chronically poisoned by or addicted to the use of narcotic drugs for the purpose of relieving or curing such poisoning or addiction.

Every practitioner shall within ten days of the diagnosis of any person chronically poisoned by or addicted to the use of narcotic drugs report to the provincial Pharmaceutical Affairs Section for the province in which he has his facility, the name, address and diagnosis of such person.

h. A research license may he issued to any person who desires to use narcotic drugs in the course of scientific research projects.

i. A license to sell exempt narcotic preparations at retail may be issued to any drug merchant who sells medicines and exempt narcotic preparations at retail and who is not otherwise licensed to sell narcotic drugs. A license to sell narcotic drugs also licenses the sale of exempt narcotic preparations.

j. A license shall be issued to or renewed only for persons who, in the opinion of the Director of the Department of Public Health and Welfare:

(*1*) Possess good moral character; *and*

(*2*) Possess: (*a*) such experience in importing, manufacturing, administering, distributing, marketing or handling narcotic or other medical drugs as wholesale or retail dealers, practitioners, pharmacists, or laboratory workers duly licensed and lawfully entitled to engage in such activities, *and* (*b*) such means and facilities for manufacturing, handling, and safeguarding narcotic drugs, as to render reasonably probable the orderly and lawful distribution of narcotic drugs of suitable quality to supply medical and scientific needs, without diversion to illicit channels.

4. *Application for License.*

a. Any person may apply for a license pursuant to this regulation by filing an application with the appropriate provincial Pharmaceutical Affairs Section. Each application shall be accompanied by written statements made by the head of the city, county or island in which the applicant and his supervising pharmacist have their place of business, setting forth:

(*1*) Whether such persons are chronically poisoned by or addicted to the use of narcotics;

(*2*) Whether such persons have been convicted of any crime or offense in connection with narcotics, *and*

(*3*) Any reasons why in his opinion the license should be refused.

b. The appropriate provincial Pharmaceutical Affairs Section shall approve or disapprove applications within 30 days of receipt thereof. It shall forward all applications which it approves to the Director of the Department

of Public Health and Welfare. If an application is disapproved, the appropriate provincial Pharmaceutical Affairs Section shall forthwith notify the applicant in writing, stating the reasons therefor. The applicant may within 60 days of such disapproval appeal to the Director of the Department of Public Health and Welfare.

5. *Information in Application.*

a. The application for a license shall contain the following information, except where the context indicates that the information is inapplicable :

(1) Name and address of applicant.

(2) Name and address of applicant's supervising pharmacist.

(3) Complete details regarding the license of the supervising pharmacist, physician, dentist, veterinarian or drug merchant, including the place and date of its issuance and the issuing authority.

(4) Location and description of applicant's place of business, plants, warehouses, equipment, and other manufacturing, distribution and research facilities.

(5) Items which the applicant proposes to manufacture and the estimated amount of such items to be manufactured during the period for which the license is requested.

(6) Sources of material for manufacturing.

(7) Purpose of the applicant's research.

(8) Detailed personal history of the applicant and his supervising pharmacist, including the names and addresses of their present and former employers, a description of their present and all former employment, and reasons for changing employment; all periods of unemployment shall be explained and five references furnished. (*Not required in the application for a pharmacist's license, practitioner's license or exempt narcotic preparations license.*)

(9) Where the applicant is a juridical person, the applicant shall submit the articles of incorporation and a list of the names and addresses of the officers, directors, auditors, stockholders, bondholders, mortgagees or other security holders. (*Not required in the application for a pharmacist's license, practitioner's license or exempt narcotic preparations license.*)

(10) A complete inventory of all narcotic drugs and exempt narcotic preparations on hand as of the date of the application.

(11) Such other information as the Director of the Department of Public Health and Welfare requires.

b. No change shall be made by the licensee or his supervising pharmacist in any of the items listed in items (2)-(7) inclusive, or in the officers, directors, auditors, stockholders, bondholders, mortgagees or other security holders required to be listed by item (9) hereof, except with the prior written approval of the Director of the Department of Public Health and Welfare. An application for such change shall be filed with the appropriate provincial Pharmaceutical Affairs Section, accompanied by a fee of 5 won. Changes in items (1) and (2), or changes in item (9) not requiring prior approval, shall within ten days of the change be reported to the appropriate provincial Pharmaceutical Affairs Section which shall forward the application or report to the Director of the Department of Public Health and Welfare within ten days of its receipt.

6. *Fees.* The following fees shall be paid to the Director of the Department of Public Health and Welfare upon the issuance or renewal of a license:

a.	Manufacturer's license	500 won
b.	Repackager's license	300 won
c.	Wholesaler's license	200 won
d.	Pharmacist's or practitioner's license	50 won
e.	Exempt narcotic preparations license	50 won
f.	Research license	20 won

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Such fees shall be paid to the appropriate provincial Pharmaceutical Affairs Section or other agency to which the license is transmitted for delivery to the licensee. The agency receiving such fees shall forward them forthwith to the Director of the Department of Public Health and Welfare.

7. *Duration of License.* All licenses shall terminate on the 31st day of December of the year for which they are issued.

8. *Renewal of License.* All applications for renewal shall be filed during the month of November preceding the expiration date, in accordance with the provisions of paragraphs 5 and 6 hereof.

9. *Lapse of License.* Any person whose license has expired or lapsed or whose license has been suspended or revoked shall, within ten days of such expiration, lapse, suspension or revocation, surrender to the appropriate provincial Pharmaceutical Affairs Section such license, together with a detailed inventory of all narcotic drugs on hand as of the date of such surrender. Such person shall not thereafter sell, transfer or otherwise dispose of such inventory or any part thereof, except by direction of the Director of the Department of Public Health and Welfare.

10. *License not Transferable.* No license shall be transferable. If a licensee transfers his business establishment, dies, is missing or becomes legally incapacitated, his license shall thereby lapse and the licensee or his legal representative, as the case may be, shall surrender the license in accordance with paragraph 9 hereof.

11. *Lost or Damaged License Certificates.* If a licensee has lost his license certificate or if his license certificate has been damaged, he may apply for a new license certificate to the appropriate provincial Pharmaceutical Affairs Section, which shall forward the application to the Director of the Department of Public Health and Welfare. The applicant shall surrender the damaged certificate with his application, and pay a filing fee of 5 won. Where the licensee finds his lost certificate subsequent to the issuance of a new certificate, he shall forthwith surrender the new certificate to the appropriate provincial Pharmaceutical Affairs Section.

12. *Suspension and Revocation.* *a.* The appropriate provincial Pharmaceutical Affairs Section or the Director of the Department of Public Health and

Welfare may, after due notice and hearing, suspend a license if the licensee has violated the provisions of this regulation or of Ordinance No 119, or is guilty of a substantial violation of law. All such suspensions made by the appropriate provincial Pharmaceutical Affairs Section shall be reviewed by the Director of the Department of Public Health and Welfare, who shall provide all interested parties an opportunity to be heard. Upon the expiration of the suspension period, the appropriate Pharmaceutical Affairs Section or the Director of the Department of Public Health and Welfare shall note on the certificate the period of suspension and the reasons therefor, and shall return the certificate to the licensee. No suspension under this paragraph shall exceed 60 days.

b. The Director of the Department of Public Health and Welfare may revoke a license if, after due notice and hearing, he finds such action to be in the public interest, or that the licensee has failed to comply with regulations or requirements of law relating to narcotics or is guilty of a substantial violation of law material to the licensee's qualification to sell narcotics.

13. *Packaging of Narcotics. a.* No manufacturer, repackager or wholesaler shall sell or deliver narcotic drugs (other than exempt narcotic preparations) unless such narcotic drugs are packed in receptacles sealed with stamps approved by the Director of the Department of Public Health and Welfare. This subsection shall not apply to sales or deliveries of bulk narcotic drugs to manufacturers or repackagers.

b. The following information shall appear on all such receptacles and the wrappings for such receptacles:

(*1*) Name and address of principal place of business of the manufacturer or repackager.

(*2*) Date of packaging.

(*3*) The percentage by weight of each narcotic drug in the contents of the package; except that, where the contents are in tablet form, the number of tablets and weight and type of each narcotic drug per tablet shall appear.

(*4*) The character *mq*.

14. *Manufacturers' or Repackagers' Quota Permit.*

a. Each licensed manufacturer or repackager shall apply to the Director of the Department of Public Health and Welfare within the 30-day period preceding 1 January, 1 April, 1 July and 1 October, for the establishment of the amount and items of narcotic drugs he will be permitted to manufacture or repackage during the ensuing quarter year. The application shall be filed with the appropriate provincial Pharmaceutical Affairs Section, which shall forward such application to the Director of the Department of Public Health and Welfare within ten days of receipt thereof. Such application shall set forth the following:

(*1*) Name and present place of business of applicant.

(*2*) Items and quantity of narcotic drugs proposed to be manufactured or repackaged during the ensuing quarter.

(*3*) The types and number of each type of receptacle to be used.

b. The Director of the Department of Public Health and Welfare shall issue permits for the manufacturing and repackaging of such amounts and items as in his judgment are consistent with the public interest. He may issue such permits for the manufacture or repackaging of specific amounts at any time when the public interest so requires.

15. *Stamps.* Each manufacturer or repackager shall obtain stamps from the appropriate provincial Pharmaceutical Affairs Section or the Director of the Department of Public Health and Welfare submitting:

a. A copy of his permit to manufacture or repackage received pursuant to paragraph 14 hereof, and

b. The number of stamps on hand.

The number of stamps issued and the date of issuance shall be noted on the permit.

16. *Order Forms.* No licensee shall transfer or sell narcotic drugs to another licensee unless he receives from the buyer or other transferee an order in the form prescribed by the Director of the Department of Public Health and Welfare. Both the buyer and seller shall retain copies of such order form as part of their records.

17. *Inventory. Reports. a.* Every manufacturer, repackager and wholesaler shall file monthly reports, setting forth:

(*1*) Quantity and items of narcotic drugs in his possession at the beginning of the calendar month for which the report is made.

(*2*) Names and addresses of all persons from whom he acquired narcotic drugs and the quantity and items acquired from each such person during the calendar month.

(*3*) Names and addresses of all persons to whom he sold or otherwise transferred narcotic drugs and the items and quantity sold or otherwise transferred to each such person.

(*4*) Quantity and items of narcotic drugs in his possession at the end of the calendar month.

(*5*) Explanation of any discrepancy between the sum of the quantities specified in Item (*1*) plus Item (*2*) and the sum of the quantities specified in Item (*3*) plus Item (*4*).

Such reports shall be filed with the appropriate provincial Pharmaceutical Affairs Section on or before the 20th day after the month for which the report is made. The provincial Pharmaceutical Affairs Section shall forward such reports to the Director of the Department of Public Health and Welfare.

b. Every pharmacist, practitioner, drug merchant licensed to deal in exempt narcotic preparations in accordance with paragraph 3 *i* hereof, and narcotic research worker shall file an inventory report for the balance of the calendar year in which the license is issued and thereafter for each calendar year, setting forth:

(*1*) Quantity and items of narcotic drugs in his possession at the beginning of the period for which the report is made.

(*2*) Quantity and items of narcotic drugs acquired during that period.

(*3*) Quantity and items he sold or otherwise transferred or used during that period.

(4) Quantity and items of narcotic drugs in his possession at the end of that period.

Such reports shall be filed with the appropriate provincial Pharmaceutical Affairs Section on or before the 20th day after the period for which the report is made. The provincial Pharmaceutical Affairs Section shall forward such reports to the Director of the Department of Public Health and Welfare.

18. *Prescriptions. a.* Every practitioner prescribing narcotic drugs other than exempt narcotic preparations shall write and sign a prescription in triplicate setting forth:

(1) Name, sex, address and age of the patient, where the prescription is made by a physician or dentist. (A prescription made by a veterinary surgeon shall set forth the species of animal and the name and address of its owner).

(2) Type and quantity of narcotic drugs and directions for use.

(3) Date of prescription, and name, address and license number of the practitioner.

The practitioner shall retain one copy as part of his records and give two copies to the patient.

b. Every practitioner administering narcotic drugs other than exempt narcotic preparations shall write and sign a prescription in duplicate setting forth items (1), (2) and (3) of preceding subparagraph. The practitioner shall retain one copy as part of his records, and within ten days after the end of each calendar month send the second copy of each such prescription written during that month to the appropriate provincial Pharmaceutical Affairs Section.

c. No pharmacist shall sell or otherwise dispense narcotic drugs other than exempt narcotic preparations unless he receives from the buyer two copies of a prescription in the form herein specified for such narcotic drugs. The pharmacist shall sign both copies of the prescription and indicate the date it was filled. He shall retain one copy of each prescription and he shall keep such copy separately from his other records.

d. Within ten days after the end of each calendar month, the pharmacist shall send the second copy of each such prescription filled during that

month to the appropriate provincial Pharmaceutical Affairs Section.

e. A pharmacist or drug merchant duly licensed hereunder to sell exempt narcotic preparations may sell such exempt narcotic preparations only to persons who present a prescription or a signed request, containing the name and address of the buyer, the date of the request, the type and amount of exempt narcotic preparations, and a statement that it is being bought for use by the buyer or other named person (whose address shall also be given). Each seller of exempt narcotic preparations shall retain such requests and prescriptions separately from his other records.

19. *Period of Retention of Records.* Any person obligated to keep records (including copies of prescriptions and requests for exempt narcotic preparations) pursuant to this regulation shall retain such records for at least five years from the date they are recorded or filed.

20. *Storage of Narcotics.* Each licensee shall keep his stock of narcotic drugs (other than exempt narcotic preparations) under lock and key apart from his other merchandise or materials.

21. *Inspection. a.* Each licensee shall keep his records, stocks of narcotic drugs and all facilities available for inspection by agents of the Department of Public Health and Welfare or of the appropriate provincial Pharmaceutical Affairs Section.

b. Any licensee shall upon request of such agent deliver to him a sample of any narcotic drug if such agent leaves a receipt for such narcotic drugs. The licensee shall within ten days report in writing the taking of such sample, to the appropriate provincial Pharmaceutical Affairs Section.

c. An inspector authorized by the Director of the Department of Public Health and Welfare may require the surrender of a license or of the licensee's stock of narcotic drugs, if he finds that the licensee has violated this regulation or Ordinance No 119. The inspector or any other person authorized to seize narcotic drugs pursuant to Section XI of Ordinance No 119, shall ofrthwith in writing report to the Director of the Department of Public Health

and Welfare any such seizure and the reasons therefor. The Director of the Department of Public Health and Welfare shall within ten days after receipt of such report notify the licensee in writing of the charges against him and give him an opportunity to be heard.

22. *Other Instructions.* The Director of the Department of Public Health and Welfare may, by written order, whenever the public interest requires, prohibit or restrict the manufacture, repackaging, sale or transfer of narcotic drugs by any licensee.

23. *Former Regulations.* Any person who was entitled to deal in narcotic drugs prior to the effective date of this regulation may continue to deal in narcotic drugs for 30 days after the effective date of this regulation if he has filed an application for a license pursuant to this regulation and such application has not been denied. Any person who has not filed an application on or before the effective date of this regulation shall report his inventory of narcotic drugs within ten days of such effective date to the appropriate provincial Pharmaceutical Affairs Section and hold such narcotic drugs subject to the order of the Director of the Department of Public Health and Welfare.

24. *Definitions. a. Narcotic drugs* includes opium, morphine, heroin, codeine, cocaine, marihuana and any other component, derivative or preparation of any thereof. It includes exempt narcotic preparations unless the context otherwise requires.

b. Exempt narcotic preparation means any preparation or remedy which contains by weight not more than 0.4 per cent of opium, or not more than 0.05 per cent of morphine, or not more than 0.2 per cent of codeine, hydrocodeine, or any salt, or derivative of any of them, *and* which preparation contains active medicinal drugs other than narcotics which confer upon the preparation valuable medicinal qualities other than those provided by the narcotic drug alone.

c. Appropriate Provincial Pharmaceutical Affairs Section with reference to any person means the Pharmaceutical Affairs Section of the provincial

Bureau of Public Health and Welfare for the province in which such person has his place of business.

d. Person includes natural and juridical persons.

25. *Penalties.* Any person violating the provisions of this regulation shall, upon conviction by a Military Occupation Court, suffer such punishment as the Court shall determine.

26. *Effective Date.* This regulation shall be effective on the twentieth day after the date appearing hereon.

BY DIRECTION OF THE MILITARY GOVERNOR:

SEAL

LEE YONG SUL
Director
Department of Public
Health and Welfare