

## Prohibiting party pills will deliver the market to the gangs

Contributed by Matt Bowden, Chair of the Social Tonics Association of New Zealand

(798 words.)

The prohibition of alcohol in the United States in the 1920s contains many important and deadly serious lessons for New Zealand as our government considers banning party pills here.

The US experiment was judged a spectacular failure and abandoned after 13 years but not before many lives were damaged. The era is identified with American gangsterism and was important in entrenching the Mafia, particularly in Chicago.

Less well-known perhaps are the behavioural responses. Alcohol consumption increased and there was a sharp shift from beer to harder liquors, including moonshine. Deaths from liquor poisoning more than quadrupled, homicide rates rose as did other violent crime. Convictions for drunk and disorderly conduct increased 41 per cent, and for drunk driving, 81 per cent.

These facts should give our politicians pause because we can expect a similar response here. You cannot legislate a market out of existence. You can only drive it underground and deliver it to the gangs and to dangerous drugs, like P. Ban a product like BZP and all you will do is lose the ability to enforce safety and consumer protection standards with the result that the public health will be put at risk where it might have been protected.

BZP was designed as a stimulant which – unlike P – is not addictive and does not provoke violent or criminal behaviour. A lot of the commentary from opponents has failed to grasp this essential fact: BZP is the safe alternative to P.

More than 26 million party pills have been sold in New Zealand since 2000, the very large proportion of them repeat purchases. This demonstrates that there is high demand for legal access to these products and that, for the great majority of users, they provide a positive experience. Those people have democratic rights which should not be casually cast aside, particularly when the evidence supporting a ban is weak.

Even the Expert Advisory Committee on Drugs, on whose advice the government is acting, was tentative in its conclusions, acknowledging in its report to Associate Health Minister Jim Anderton that there are no guarantees that banning BZP will reduce use and that there is a risk that it might exacerbate the problem.

The committee also stated that there are potential advantages in retaining BZP as a Restricted Substance subject to tougher regulations but it did not recommend this to the Minister, giving as its reason that it would “require the establishment of a significant administrative and enforcement capacity”.

It is simply not good enough to put young lives at risk just to save money, especially when the government already has the power under the Misuse of Drugs Amendment Act 2005 to regulate.

In fact, the Act anticipates regulation, and that was clearly the Parliament's intention. But the government has allowed these provisions to remain dormant, despite sustained pressure from our organisation, which represents 80 per cent of the party pill industry.

That is why STANZ has now taken the extra step of commissioning draft regulations which address the government's main concerns while avoiding the known risks associated with prohibition.

The restrictions in the Act now are absolutely minimal being confined to an age restriction of 18, a ban on advertising in the mainstream media and a ban on retailers, manufacturers or distributors from offering restricted substances free of charge or as a gift, prize or promotion.

We are proposing to supplement this with a further 26 regulations. They include:

- A tablet must contain no more than 200 milligrams of BZP and a package no more than 600 milligrams;
- BZP raw material must be 99 per cent pure;
- BZP must not be sold from convenience stores, licensed premises, service stations or within 250 metres of a school, recreational centre or playground;
- Any advertising must be limited to places where restricted substances are sold and where entry is available only to persons over 18 and must not be visible from the street; and
- Health warnings, including the importance of drinking plenty of water, not mixing with alcohol and not exceeding the maximum recommended dose, must be featured prominently on the packaging.

Further to this, STANZ has prepared a Code of Good Manufacturing Practice. This is a detailed document modelled on the New Zealand Code of Practice for Medicinal Products and incorporates such matters as quality control, training and hygiene. Both documents are available on STANZ website: [www.stanz.org.nz](http://www.stanz.org.nz)

Party pills are already safer than most of the alternatives, including alcohol. Tighter regulation along the lines STANZ is advocating will make them safer still. This has got to be the better and more responsible option and we believe the government has a duty to at least trial it before considering a ban.