

Appendix B -- Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 15 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Not less than 25 years Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	

PENALTIES		
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Flunitrazepam (Schedule IV)	1 gram	
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	

		Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

Federal Trafficking Penalties—Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 15yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual.
Marijuana (Schedule I)	More than 10 kg hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kg marijuana (except 50 or more marijuana plants regardless of weight); 1 to 49 marijuana plants	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish Oil (Schedule I)	1 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a not less than 25 years imprisonment and a fine up to \$20 million if an individual and \$75 million if other than an individual.

**Summary of Pennsylvania Statutes Relating to Unlawful Sale, Possession, Use,
Manufacture or Distribution of Illicit Drugs or Alcohol**

statute	offense	Possible sanctions
18 Pa. CS 6307	Misrepresentation of age to secure alcohol	\$500 and suspension of operating privileges
18 Pa. CS 6308	Purchase, consumption, possession or transportation of alcohol by a person under 21 years of age	\$500 and suspension of operating privileges
18 Pa. CS 6309	Representing that a minor (under 21) is of age	\$300
18 Pa. CS 6310	Inducement of minors (under 21) to buy alcohol	\$300
18 Pa. CS 6310.1	Selling or furnishing alcohol to a minor (under 21)	\$1,000-2,500
18 Pa. CS 6310.2	Manufacture or sale of false ID card	\$1,000-2,500
18 Pa. CS 6310.3	Possession, carrying or use of false ID card	\$500 and suspension of operating privileges (or ineligibility to obtain a license)
18 Pa. CS 6310.4	Violation of 6307, 6308 or 6310.3	Suspension of operating privileges (or ineligibility to obtain a license)
18 Pa. CS 6314	Trafficking drugs to minors (under 18)	Fines from \$5,000-50,000; imprisonment for a minimum of one year, depending on offense
35 PS 780-101 et seq.	Illicit manufacture, sale, delivery, possession of controlled substances	Fines from \$5,000-250,000; imprisonment from 1 to 15 years, depending on offense
42 Pa. CS 6801-2	Illicit manufacture, sale, delivery, possession of controlled substances	Loss of property rights to Commonwealth of all controlled substances, paraphernalia, raw materials, conveyances, money, negotiable instruments and real property acquired in violation of the Controlled Substance, Drug, Device and Cosmetic Act
42 PS 4-491	Possession, sale or transportation of liquor within Pennsylvania unless purchased from a State Store in accordance with Liquor Control Board Regulations	Fines of varying amount
75 Pa. CS 3715	Consumption of alcohol or drugs while driving	Summary offense fine

75 Pa. CS 3731	Driving under the influence of drugs or alcohol	\$300-5,000 and imprisonment from 48 hours to 1 year; suspension or revocation of operating privileges
63 PS 390-8	Procuring drugs by fraud, forgery, alteration of Rx, etc.	Imprisonment for 3 years, \$5,000 fine, or both

Pennsylvania law imposes “social host” liability on persons who furnish alcohol to individuals under 21 years of age. The Pennsylvania Crimes Code defines “furnish” as “to supply, give, or provide to, or allow a minor to possess on the premises or property owned or controlled by the person charged.”