

United States Senate

October 19, 2023

Mr. Mark Zuckerberg
Founder, Chairman, and Chief Executive Officer
Meta Platforms, Inc.
1601 Willow Road
Menlo Park, CA 94025

Dear Mr. Zuckerberg,

We write to express grave concerns about the public sale of fentanyl precursor chemicals on Facebook and Instagram, both of which are owned by your company Meta. Fentanyl overdoses claim the lives of roughly 70,000 Americans each year.¹ It is incumbent upon all of us to do more to stamp out this scourge on our society. That is why it is so disappointing to see one of the biggest tech companies in the world permitting—willfully or tacitly—the sale of these dangerous chemicals on your platforms.²

The Chemical Abstracts Service (CAS)—a division of the American Chemical Society—assigns unique CAS registry numbers to every chemical substance described in scientific literature, including fentanyl precursors.³ If a Facebook user searches CAS registry numbers assigned to fentanyl precursors, they can find numerous public posts by users, including those associated with Chinese companies selling these chemicals. According to a 2022 report by the Brookings Institution, China “remains the principal (if indirect) source of U.S. fentanyl” and its precursors.⁴

A cursory search uncovered multiple Facebook posts advertising the sale of a fentanyl precursor with the CAS registry number 79099-07-3.⁵ This substance was enforced as a List I chemical under the Controlled Substance Act by the Drug Enforcement Administration (DEA) on April

¹ “Drug Overdose Death Rates,” National Institute on Drug Abuse, U.S. Department of Health and Human Services, published June 30, 2023, <https://nida.nih.gov/research-topics/trends-statistics/overdose-death-rates#:~:text=Overall%2C%20drug%20overdose%20deaths%20rose,overdose%20deaths%20reported%20in%202021.>

² Senator Ernst staff, Facebook search for the CAS numbers of Fentanyl precursors, September 19, 2023. See Appendix.

³ “CAS Registry and CAS Registry Number FAQs,” Chemical Abstracts Service, American Chemical Society, accessed September 19, 2023, <https://www.cas.org/support/documentation/chemical-substances/faqs#:~:text=A%20CAS%20Registry%20Number%20is,CAS%20Registry%20Number%20for%20caffeine.>

⁴ Vanda Felbab-Brown, “China and Synthetic Drugs Control: Fentanyl, Methamphetamines, and Precursors,” Brookings Institution, March 2022, [https://www.brookings.edu/articles/china-and-synthetic-drugs-control-fentanyl-methamphetamines-and-precursors/.](https://www.brookings.edu/articles/china-and-synthetic-drugs-control-fentanyl-methamphetamines-and-precursors/)

⁵ Senator Ernst staff, Facebook search for the CAS numbers of Fentanyl precursor with CAS number 79099-07-3, September 19, 2023. See Appendix.

12, 2023.⁶ All List I chemicals are designated because they are used in the illicit manufacturing of controlled substances, including fentanyl.

The widespread sale of 79099-07-3 on Facebook is not a fluke. We also discovered numerous Facebook posts advertising the sale of three other fentanyl precursors that the DEA has already enforced or is in the process of enforcing as a List I chemical. Once again, all a user needs to do to find these posts is to search the CAS registry number of the illicit substance.⁷

This problem is not limited to Facebook. Instagram users can also find public posts advertising the same precursors controlled by the DEA.⁸

The dealers responsible for these sales enthusiastically and openly exploit your platform to conduct illegal activity. One Facebook user touted that their products are “widely exported to the United States, the Middle East, Russia, Canada, Australia, Europe, and other countries.”⁹ Another seller “guarantee[d] 100% of your packages pass through customs.”¹⁰ Still others even promoted their customer service, noting they “offer home deliver[y] service.”¹¹

Each of these posts clearly violates your community standards. The Facebook community standards explicitly prohibit “[c]ontent that: attempts to buy, sell, trade, coordinate the trade of, donate, gift, or asks for non-medical drugs,” a term which your community standards define as “drugs or substances that are not being used for an intended medical purpose or are used to achieve a high – this includes precursor chemicals or substances that are used for the production of these drugs.”¹² The Instagram community guidelines contain similar language that prohibit “content that attempts to trade, coordinate the trade of, donate, gift, or ask for non-medical drugs.”

⁶ Drug Enforcement Administration, Final Rule, “Designation of 4-Piperidone as a List I Chemical,” *Federal Register* 88, no. 70 (April 12, 2023): 21902. <https://www.federalregister.gov/documents/2023/04/12/2023-07538/designation-of-4-piperidone-as-a-list-i-chemical>.

⁷ Senate staff discovered Facebook posts advertising the sale of three precursors with the CAS registry numbers 125541-22-2, 40064-34-4, and 99918-43-1. On November 9, 2022, the DEA enforced 125541-22-2 as a List I chemical. On April 12, 2023, the DEA enforced 40064-34-4 as a List I chemical. On April 14, 2023, the DEA proposed the designation of 99918-43-1 as a List I chemical. For more details: Drug Enforcement Administration, Final Rule, “Specific Listing for 1-boc-4-AP, a Currently Controlled List I Chemical,” *Federal Register* 87, no. 70 (November 9, 2022): 67550. <https://www.federalregister.gov/documents/2022/11/09/2022-24155/specific-listing-for-1-boc-4-ap-a-currently-controlled-list-i-chemical>; Senator Ernst staff, Facebook search for the CAS numbers of Fentanyl precursor with CAS number 125541-22-2, September 19, 2023. See Appendix; Drug Enforcement Administration, Final Rule, “Designation of 4-Piperidone as a List I Chemical,” *Federal Register* 88, no. 70 (April 12, 2023): 21902. <https://www.federalregister.gov/documents/2023/04/12/2023-07538/designation-of-4-piperidone-as-a-list-i-chemical>; Senator Ernst staff, Facebook search for the CAS number of Fentanyl precursor with CAS number 40064-34-4. See Appendix; Drug Enforcement Administration, Proposed Rule “Designation of Halides of 4-Anilinopiperidine as List I Chemicals,” *Federal Register* 88, no. 72 (April 14, 2023): 22955. <https://www.federalregister.gov/documents/2023/04/14/2023-07454/designation-of-halides-of-4-anilinopiperidine-as-list-i-chemicals>; Senator Ernst staff, Facebook search for the CAS numbers of Fentanyl precursor with CAS number 99918-43-1, September 19, 2023. See Appendix.

⁸ Senator Ernst staff, Instagram search for the CAS numbers of Fentanyl precursors, September 24, 2023.

⁹ Senator Ernst staff, Facebook search for the CAS numbers of Fentanyl precursors, July 25, 2023.

¹⁰ Senator Ernst staff, Facebook search for the CAS numbers of Fentanyl precursors, July 25, 2023.

¹¹ Senator Ernst staff, Facebook search for the CAS numbers of Fentanyl precursors, July 25, 2023.

¹² “Facebook Community Standards,” Facebook, Meta, accessed on August 17, 2023, <https://transparency.fb.com/policies/community-standards/restricted-goods-services/>.

Social media companies have a responsibility to help prevent dangerous chemicals from getting into the hands of bad actors and Americans of all ages. As the Department of Justice notes, “[d]ismantling illicit online drug marketplaces and holding responsible corporations – including responsible executives – who enable these illicit drug marketplaces, is critical to preventing overdoses and stemming the flow of dangerous drugs into our communities.”¹³

We could not agree more with the Justice Department.

Therefore, we urge you to immediately remove these posts and suspend the accounts of individuals involved in this activity. Furthermore, we request an in-depth response to the following questions in writing no later than Friday, November 17, 2023. The explanation should, at a minimum, answer the following questions:

1. Does Meta, Facebook, or Instagram maintain a list of CAS numbers for illicit substances that it monitors in posts and comments on its platforms?
 - i. If so, does Meta, Facebook, or Instagram automatically delete posts containing these CAS numbers?
 - ii. Does Meta, Facebook, or Instagram maintain a similar list of names for illicit substances as set by the International Union of Pure and Applied Chemistry?
2. Will Meta, Facebook, or Instagram adopt any plans to prevent the recurrence of these posts in the future?
 - i. If so, please provide a detailed explanation of your plan.
3. Were any posts advertising the sale of fentanyl precursors boosted through Facebook’s or Instagram’s algorithm?
 - i. If so, what steps is Meta, Facebook, or Instagram taking to adjust its algorithm to avoid such posts being boosted in the future?
4. Does Meta, Facebook, or Instagram have appropriate channels to report the users responsible for these posts to federal law enforcement authorities, including the Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI), Department of Homeland Security (DHS), Treasury Department’s Office of Foreign Assets Control, and Customs and Border Protection.
 - i. If so, in how many instances has Meta, Facebook, or Instagram responded to federal law enforcement warrants related to the sale of fentanyl precursors on its platforms since January 1, 2023?
5. Many of the users responsible for these posts are linked to Chinese companies.
 - i. Does Meta, Facebook, or Instagram have any data on the breakdown of the country of origin for the users responsible for posts advertising the sale of fentanyl precursors?
 - ii. If not, please provide a country-of-origin breakdown of users on Meta platforms who advertised the sale of precursors with the CAS numbers 79099-07-3, 125541-22-2, 40064-34-4, and 99918-43-1 since January 1, 2023.
6. Please explain whether Meta, Facebook, or Instagram collaborates with X, Alphabet, or other social media companies to investigate the sale of fentanyl precursors on their platforms.

¹³ “Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths,” Department of Justice, accessed on August 24, 2023, <https://www.justice.gov/doj/doj-strategic-plan/objective-25-combat-drug-trafficking-and-prevent-overdose-deaths>.

7. Does Meta, Facebook, or Instagram track data on the engagement metrics for posts advertising the sale of fentanyl precursors?
- i. If so, please provide the mean, mode, median, and range of the number of likes received on posts by users who advertised the sale of precursors with the CAS numbers 79099-07-3, 125541-22-2, 40064-34-4, and 99918-43-1 since January 1, 2023.

We look forward to hearing from you,

Sincerely,



Joni K. Ernst
United States Senator



Roger F. Wicker
United States Senator



Rick Scott
United States Senator



Charles E. Grassley
United States Senator



James Lankford
United States Senator



Marco Rubio
United States Senator



Marsha Blackburn
United States Senator



Mike Crapo
United States Senator

cc: The Honorable Merrick Garland, the United States Attorney General
Anne Milgram, Administrator of the Drug Enforcement Administration
Christopher A. Wray, Director of the Federal Bureau of Investigation

Appendix: Examples of Precursor Chemicals Being Sold on Your Platform:

Kitty Chen
February 15 · 🌐

We specialize in chemical products, Not only the price is favorable, but also the stock is sufficient. Our forwarder is responsible for customs clearance. Packaging: Can be customized according to your requirements.
Mode of transportation: Express, air, door to door service. Look forward to your reply and further feedback.

79099-07-3, 125541-22-2, 288573-56-8, 2FDCK, 40064-34-4, 28578-16-7, 33125-97-2, 5449-12-1, 59004-96-5, 50-78-2, GS-441524, 37148-48-4, 2894-61-3, 6285-05-8, 1009-1... See more



79099-07-3

QQ:3567614984
Wicker:Kitty1023
WhatsApp:+ 8613373047418
Telegram:+ 8613373047418
E-mail:sunton04@sunton88.com

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November 15, 2022 · 4

Main sales of the factory: PMKcas:28578-16-7/5449-12-7/20320-59-6/125541-22-2/288573-56-8 Interested friends can add my way
WhatsApp: +8618034395858 Wickr Me: iris0808
email: iris@rilonchem.com



Pharmaceutical raw materials

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25

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Hebei Zebo Biotechnology Co., Ltd · Follow

May 4 · 🌐

...

99% High Purity And Top Quality CAS 40064-34-4 / 4-Piperidone Hydrochloride Monohydrate

👉 Classification: Pharmaceutical Intermediates Cas NO.: 40064-34-4 Name: 4,4-Piperidinediol hydrochloride Molecular

👉 Formula: $C_5H_{12}ClNO_2$ Melting Point: 89-99°C Boiling

👉 Point: 175.1°C at 760 mmHg

<https://www.hbzebo.com/99-high-purity-and-top-quality.../>

#FoodAdditive #API #Imidazoles #Caine #SteroidHormones #Wholesale #Intermediates



Hebei Zebo Biotechnology Co., Ltd

Chemical Company



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China Chemicals · Follow

July 3, 2019 · 🌐

High purity N-PHENYLPYPERIDIN-4-AMINE DIHYDROCHLORIDE with CAS 99918-43-1 Used for Animal Pharmaceuticals

#chemicals #china #b2bmarketplace #Pharmaceuticals #organicintermediates



China Chemicals

Product/service

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7

6 shares