

BuzzFeedNEWS

Three States Bought Illegal Execution Drugs From Supplier In India

Chris Harris, the execution drug salesman who has been the focus of [ongoing reporting](#) by BuzzFeed News, sold drugs to Texas, Arizona, and Nebraska.

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Texas, Arizona, and Nebraska corrections officials bought and attempted to illegally import execution drugs from a man in India named Chris Harris, BuzzFeed News has learned.

Harris, a man without a pharmaceutical background, has sold execution drugs at least six different times. Each time, after questions are raised about the legality of the sale, his drugs have gone unused. This time, the FDA has insisted that it will not even allow his drugs to be delivered into the U.S.

BuzzFeed News [reported](#) Thursday that the Arizona and Texas departments of corrections attempted to illegally import sodium thiopental, an anesthetic no longer in use in the U.S., from India this July for use in executions.

Although Harris advertises his company, Harris Pharma, as a drug manufacturer, FDA records regarding the Arizona and Texas shipments show the sodium thiopental he sold was made by a different company called Health Biotech Limited, which is also in India.

An employee of Health Biotech who only identified himself as Vinod confirmed to BuzzFeed News that they manufactured sodium thiopental for Harris Pharma to export. He said the company only made it for Harris, while he marketed it as his own. "We don't know what he does with the product," Vinod said.

BuzzFeed News [traveled](#) to Harris's business locations in August and discovered the facility he registered with the FDA as a facility that manufactures or processes drugs is actually a small rented office, and that the business address he lists on Drug Enforcement Administration forms is a residential apartment he no longer lives in.

Despite this, Harris has sold execution drugs illegally to at least three states this year: Texas, Arizona, and Nebraska. Records show Arizona and Nebraska each paid Harris \$26,700 for 1,000 vials of sodium thiopental. Texas officials have said information about their deal with Harris is confidential under state law. Asked whether information about any payments to Harris are confidential, Texas Department of Criminal Justice spokesperson Jason Clark told BuzzFeed News that it could file an open records request regarding this information.

If the intended shipment to Texas also was 1,000 vials — the minimum order, he told Nebraska officials — that would mean Harris attempted to ship enough anesthetic to the U.S. this year for roughly 1,000 executions total.

If Texas paid the same amount, that would mean Harris made more than \$80,000 selling execution drugs that the states are likely to never receive. The FDA has consistently maintained that importing sodium thiopental would be illegal, but the states proceeded regardless. FDA records first reported on Thursday by BuzzFeed News show that two shipments of sodium thiopental made their way to the Phoenix and Houston airports in late July.

On Friday, TDCJ's Clark told BuzzFeed News that, after obtaining an import license from the DEA prior to the shipment, TDCJ filed the required notice with the agency of the anticipated shipment.

After the shipments were held upon arrival, Arizona Department of Corrections Director Charles Ryan wrote to the FDA in August, asking them to release the drugs.

“The Department will not use, or attempt to use, the cargo until it is either unconditionally released by FDA or the Department is otherwise permitted to do so by a Court Order, whichever comes first,” Ryan wrote. “I am writing to advise you that we need to take possession of the shipment.”

The FDA was not persuaded. Domenic Veneziano, who heads the FDA division that handles imports, replied, “FDA has determined that this shipment should not

be allowed to move to destination at this time and thus will not be requesting that CBP lift its detention.”

For its part, Texas isn't giving up yet, with TDCJ's Clark telling BuzzFeed News on Friday that it “is going through internal proceedings set up for addressing the lawful status of imports with the Food and Drug Administration and is awaiting their decision.”

The FDA confirmed to BuzzFeed News on Friday that it was still holding the shipments.

“Courts have concluded that sodium thiopental for the injection in humans is an unapproved drug and may not be imported into the country for this purpose. FDA has notified the state correctional facilities of the status of their respective shipments,” spokesperson Jeff Ventura wrote.

Asked whether, given the FDA's repeated statements that such importation of sodium thiopental would not be allowed, TDCJ is challenging that position, TDCJ's Clark responded, “We disagree with your characterization of the FDA's statement as to the legality of importing sodium thiopental, we are appealing the detention of the drugs through the FDA's internal proceedings.”

UPDATE

October 23, 2015, at 4:20 p.m.

This story has been updated to include additional comment from the Texas Department of Criminal Justice.