

Part D (Multiple Counts) as if the defendant had been convicted of a separate count for each such victim.

### Commentary

**Statutory Provision:** 18 U.S.C. § 342.

**Background:** This section implements the direction to the Commission in section 6482 of the Anti-Drug Abuse Act of 1988. Offenses covered by this guideline may vary widely with regard to harm and risk of harm. The offense levels assume that the offense involved the operation of a common carrier carrying a number of passengers, *e.g.*, a bus.

<i>Historical Note</i>	Effective November 1, 1987. Amended effective January 15, 1988 (amendment 25); November 1, 1989 (amendment 141); November 1, 2023 (amendment 824); November 1, 2025 (amendment 836).
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## 3. REGULATORY VIOLATIONS

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### §2D3.1. Regulatory Offenses Involving Registration Numbers; Unlawful Advertising Relating to Scheduled Substances; Attempt or Conspiracy

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(a) Base Offense Level: 6

### Commentary

**Statutory Provisions:** 21 U.S.C. §§ 842(a)(1), 843(a)(1), (2). For additional statutory provision(s), *see* Appendix A (Statutory Index).

<i>Historical Note</i>	Effective November 1, 1987. Amended effective November 1, 1991 (amendment 421); November 1, 1992 (amendment 447); November 1, 1995 (amendment 534); November 1, 2009 (amendment 727).
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### §2D3.2. Regulatory Offenses Involving Controlled Substances or Listed Chemicals; Attempt or Conspiracy

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(a) Base Offense Level: 4

### Commentary

**Statutory Provisions:** 21 U.S.C. §§ 842(a)(2), (9), (10), (b), 954, 961. For additional statutory provision(s), *see* Appendix A (Statutory Index).

<i>Historical Note</i>	Effective November 1, 1987. Amended effective November 1, 1991 (amendment 421); November 1, 1992 (amendment 447); November 1, 1993 (amendment 481); November 1, 1995 (amendment 534).
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