

The US Coke Monopoly:

How Coca-Cola, the DEA, and Stepan Company Maintain a Century-Long, Government-Sanctioned Control Over Coca Leaf Imports in the United States, and Its Controversial Implications

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Executive Summary

This report critically examines the unique, government-sanctioned monopoly that grants The Coca-Cola Company exclusive legal access to import and utilize coca leaves in the United States—a privilege denied to all other entities. At the heart of this arrangement is the Stepan Company, the sole U.S. firm authorized by the Drug Enforcement Administration (DEA) to import and process coca leaves [1, 20, 22]. The processed, decocainized extract is used exclusively by Coca-Cola as a flavoring agent, while the extracted cocaine is sold to Mallinckrodt Pharmaceuticals for medicinal purposes [1]. This exclusive and long-standing setup raises significant questions about regulatory fairness, international drug policy, corporate influence, and the profound impact on indigenous rights and traditional coca leaf use in Andean nations.

1. Introduction

The term “US Coke Monopoly” refers to the singular and legally protected arrangement that allows Coca-Cola, through its partnership with the Stepan Company and under stringent DEA oversight, to maintain sole legal access to coca leaf imports in the U.S. [1, 20, 22]. While coca leaves are globally recognized and internationally regulated due to their association with cocaine [2, 13, 32, 37, 43, 47], Coca-Cola’s unique exemption permits it to continue using a decocainized extract in its beverages [1]. This practice, deeply rooted in the company’s historical origins and branding, stands in stark contrast to the criminalization of coca leaf for indigenous communities and other potential commercial uses worldwide.

2. Historical Context and Controversial Origins

Coca-Cola was first introduced in 1886 by Dr. John S. Pemberton, and its original formula famously contained extracts from both the coca leaf and the kola nut [20, 22]. It was initially marketed as a medicinal tonic and “brain tonic” [20], and at the time, cocaine was legal and was a common ingredient in soda pop [48].

However, by 1903, amidst growing public scrutiny and concerns, particularly fueled by racist Jim Crow fears linking cocaine to “black crime” in the South, the company removed the psychoactive cocaine component [1, 5]. Despite this removal, Coca-Cola continued to purchase coca leaves from Peru, retaining a decocainized extract for flavoring purposes [1, 5]. This strategic decision allowed the company to maintain its original branding while ostensibly eliminating the controversial ingredient. To facilitate this, Coca-Cola partnered with Maywood Chemical Works (later acquired by Stepan Company in 1959), which became the exclusive firm responsible for processing the coca leaves for the beverage [1]. This long-standing relationship highlights Coca-Cola’s “peculiar business strategy” and its reliance on government partnerships to secure raw materials at low cost, often obscuring its connection to the narcotics trade [5].

3. Stepan Company’s Exclusive and Secrecy-Shrouded Role

Located in Maywood, New Jersey, the Stepan Company operates the only U.S. facility authorized by the DEA to import and process coca leaves [1, 20, 22]. Annually, it imports approximately 100 metric tons of dried coca leaves, primarily from Peru and Bolivia [20]. Notably, Coca-Cola is reported to specifically use *Erythroxylum truxillense*, or coca de Trujillo, a variety of coca leaf that is exported as a flavoring agent for Coca-Cola and contains high levels of cocaine alkaloid [8, 11, 15, 20, 28].

The Stepan Company’s process involves extracting cocaine, which is then sold for medicinal use, and producing a decocainized extract that is sold exclusively to The Coca-Cola Company [1]. The secrecy surrounding Stepan’s operations is significant; some suggest it is “almost impossible to recover flavour from the coca leaf once it has gone through the cocaine-removal process,” [20] raising questions about the true purpose of the decocainized extract.

4. Mallinckrodt Pharmaceuticals and Medicinal Cocaine: A Troubled Partner

The extracted cocaine from Stepan’s processing is sold to Mallinckrodt Pharmaceuticals, which is a U.S. company licensed to purify cocaine for medicinal applications [1].

However, Mallinckrodt Pharmaceuticals has a highly controversial history, particularly concerning its role in the opioid crisis. The company, through its subsidiary SpecGx, was a leading manufacturer of generic opioid painkillers and distributed billions of opioid pills in the U.S. between 2006 and 2012, at times more than 80 pills for each person in the country [34]. Mallinckrodt has faced thousands of lawsuits from state and local governments, Native American tribes, and individuals, accusing the company of contributing to the deadly opioid crisis [12, 18, 30, 34, 36]. The company agreed to pay settlements for failing to report suspicious orders of controlled substances [12]. Mallinckrodt filed for bankruptcy in October 2020 amidst these lawsuits [18, 34], and then filed for a second

bankruptcy in August 2023, which allowed the company to cut \$1 billion from its opioid payout agreement [12, 30, 36]. These controversies highlight a problematic pattern of behavior from a key partner in this unique, government-sanctioned supply chain.

5. Legal Framework, Pervasive Exemptions, and Criticisms of Regulatory Bias

The unique legal status of Coca-Cola’s coca leaf usage is deeply embedded in historical legislation. The Harrison Narcotics Act of 1914 and subsequent drug control laws included specific exemptions for “decocainized coca leaves” [1, 44, 45]. These clauses, sometimes referred to as the “Coca-Cola joker,” were explicitly designed to protect Coca-Cola’s “secretive coca business” [1]. This legislative favoritism has allowed Coca-Cola to operate outside the strictures of international drug policy that heavily criminalize the coca leaf for virtually everyone else [1].

The DEA’s contradictory stance—allowing Coca-Cola’s exclusive imports while simultaneously pursuing aggressive coca eradication programs in Andean countries—underscores a perceived bias in U.S. drug policy [5].

6. Global Implications, Ethical Controversies, and Human Rights Violations

6.1 Criminalization vs. Traditional Use

International drug control treaties, particularly the 1961 United Nations Single Convention on Narcotic Drugs, list the coca leaf in Schedule I alongside cocaine, mandating its prohibition and eradication [2, 13, 32, 37, 43, 47]. This classification ignores the vast distinction between the coca leaf in its natural form (which acts as a mild stimulant and has no evidence of addiction or withdrawal symptoms from traditional use) and purified cocaine [2, 32]. A 1950 UN report, which recommended the phasing out of coca chewing, has since been widely discredited as “inaccurate and racist” and instrumental in shaping subsequent prohibitive legislation [2, 3, 13, 38, 46]. Furthermore, a 1995 World Health Organization (WHO) study that stressed the positive therapeutic uses of coca leaf was reportedly never officially published due to U.S. threats to withdraw funding [2, 23, 33, 35, 42].

6.2 Impact on Indigenous Communities and Farmers

The criminalization of the coca leaf has led to devastating consequences for indigenous peoples, whose traditional lands have become battlegrounds in the “War on Drugs” [43]. Indigenous populations are often disproportionately targeted by law enforcement, leading to high rates of criminalization and incarceration [43].

Coca farmers, known as *cocaleros*, often receive a “raw deal” from this global prohibition. Despite coca being a highly profitable crop in their challenging terrains compared to alternatives, they are prohibited from selling other beneficial coca products like teas, candies, and flours to international markets, unlike Coca-Cola’s privileged access. This creates exploitative relationships with illicit drug lords and monopolistic buyers.

6.3 Bolivia’s Challenge to the Global Ban

Bolivia, a country with deep cultural ties to coca, has actively challenged the international prohibition. In 2011, Bolivia temporarily withdrew from the Single Convention on Narcotic Drugs to defend traditional coca use, rejoining in 2013 with a reservation allowing traditional uses within its borders [37]. Former Bolivian President Evo Morales, himself a former coca grower, made “coca validation” a personal quest, declaring “the coca leaf is not cocaine” at the UN [43]. This stance has often put Bolivia on a collision course with U.S. drug policy, with the U.S. maintaining pressure for coca eradication efforts [5]. Despite these challenges, the UN’s current WHO review of coca’s status offers a potential opportunity to rectify the historical error of the global ban, but many native communities remain wary given past experiences [2, 3, 23, 35, 42, 43].

6.4 Corporate Influence and Ethical Concerns

Beyond the coca leaf, Coca-Cola has faced numerous other controversies, including allegations of illegal soil and water pollution, and depleting local groundwater supplies in countries like India [6, 16, 26, 27, 29]. The company has also been accused of violating workers’ rights in countries such as Colombia, Turkey, Guatemala, and Russia [16]. Specifically in Colombia, Coca-Cola faced allegations of anti-union practices and violence against union leaders in the early 2000s, leading to international legal action that was ultimately dismissed on technicalities [7, 9, 17, 21, 24]. Its history also includes controversial partnerships, such as the creation of Fanta in Nazi Germany during World War II to maintain business operations amidst ingredient scarcity [4, 10, 14, 19, 25]. These issues collectively contribute to a pattern of behavior that raises serious ethical questions about the company’s global operations and influence.

7. Policy Questions and Recommendations

The continuation of the “US Coke Monopoly” and the broader international drug policy surrounding coca leaves prompt critical policy questions:

- **Transparency and Accountability:** Should there be more public disclosure about coca leaf importation and processing practices, including the quantities involved and the specific varieties used? Given the historical secrecy, is the current level of DEA oversight sufficient?
- **Fair Competition and Economic Equity:** Why is Coca-Cola granted exclusive access while other companies and indigenous communities are prohibited from commercializing decocainized coca extract or other traditional coca products? Could opening up the market to other legitimate uses of the decocainized extract promote fair competition and economic development in coca-producing regions?
- **Cultural Rights and Decriminalization:** How can international drug policies reconcile the traditional and legal uses of coca leaves for indigenous communities with modern drug regulations? Should the coca leaf be delisted from Schedule I of the UN Single Convention, acknowledging the scientific distinction between the leaf and cocaine and respecting indigenous rights? [2, 32, 43]

- **Revisiting the War on Drugs:** The “War on Drugs” has often failed to curb drug production and has had devastating human rights consequences, particularly for indigenous communities [43]. Should the U.S. re-evaluate its approach to drug policy to prioritize public health, human rights, and sustainable development over punitive eradication measures?

8. Conclusion

The “US Coke Monopoly” is a complex and controversial artifact of historical, legal, and corporate developments that have granted Coca-Cola a unique and privileged position in the global landscape of coca leaf usage. This arrangement, while legally sanctioned, is emblematic of broader issues within international drug policy, including regulatory bias, corporate influence, and the marginalization and criminalization of indigenous communities whose cultural heritage is intrinsically linked to the coca leaf. A critical re-evaluation of this monopoly and the underlying legal frameworks is necessary to promote fairness, uphold cultural rights, and foster a more equitable and effective global drug policy.

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Appendix A: Coca Leaf Import Statistics

Stepan Company, the sole licensed processor, has historically imported an estimated 95 metric tons of coca leaves annually from Peru between 2007-2010, which was handled by Maywood Chemical Works / Stepan Company. More recently, in 2022, 2023, and 2024, the company continued to import approximately 100 metric tons of coca leaves each year, primarily from Peru and Bolivia. It should be noted that while these general estimates are often cited, the exact quantities imported are typically not publicly disclosed [20].

Appendix B: Legal Exceptions for Coca-Cola

- **Harrison Narcotics Act of 1914:** Included specific exemptions for “decocainized coca leaves,” which were continued in subsequent legislation [1, 44, 45].
- **Jones-Miller Act of 1922:** Also contained clauses allowing for decocainized coca leaf preparations [1].
- **21 U.S. Code § 812 – Controlled Substances Schedules:** The legal framework still allows for the distinction and specific licensing for decocainized coca extract.
- **DEA Special Licensing Authority:** The DEA grants Stepan Company the sole authority to import and process coca leaves for this specific purpose [1, 20, 22].
- **1961 UN Single Convention on Narcotic Drugs, Article 27:** Allows for “the use of coca leaves for the preparation of a flavoring agent, which shall not contain any alkaloids,” effectively creating a loophole for Coca-Cola [47].

Appendix C: Timeline of Coca-Cola’s Coca Usage and Related Controversies

- **1886:** Coca-Cola invented by John S. Pemberton, containing coca leaf extract (with cocaine) and kola nut extract. Marketed as a medicinal tonic [20, 22, 48].
- **1903:** Cocaine removed from the formula due to public scrutiny and Jim Crow fears, but decocainized coca leaf extract retained for flavor [1, 5, 45].
- **1914:** Harrison Narcotics Act includes exemptions for decocainized coca leaves, often referred to as the “Coca-Cola joker” [1, 44, 45, 49].
- **1920s:** Maywood Chemical Works begins processing coca leaves for Coca-Cola [1].
- **1940s:** Coca-Cola’s German branch creates Fanta during WWII due to scarcity of Coca-Cola syrup, raising questions about the company’s ethics during the Nazi regime [4, 10, 14, 19, 25].
- **1950:** UN Commission of Enquiry on the Coca Leaf publishes a report heavily criticized as biased and racist, advocating for the phasing out of traditional coca chewing [2, 3, 13, 38, 46]. This report influenced the 1961 UN Convention [2, 13].
- **1959:** Stepan Company acquires Maywood Chemical Works, continuing the exclusive processing of coca leaves [1].

- **1960s:** Coca-Cola reportedly initiates a covert coca growing operation in Hawaii with U.S. government help, fearing international crackdown on cocaine would jeopardize their supply chain [5, 22, 39, 40, 41].
- **1961:** UN Single Convention on Narcotic Drugs lists coca leaf in Schedule I alongside cocaine, restricting its use to medical and scientific purposes, with a temporary exception for traditional use that expired in 1989 [2, 13, 32, 37, 43, 47].
- **1995:** A WHO study stresses positive therapeutic uses of coca leaf, but the research is reportedly never officially published due to U.S. threats to withdraw funding [2, 23, 33, 35, 42].
- **Early 2000s:** Coca-Cola faces allegations of anti-union practices and violence against union leaders in Colombia [7, 9, 17, 21, 24]. Also accused of depleting local groundwater supplies in India and causing water pollution [6, 16, 26, 27, 29].
- **2006:** Evo Morales, a former coca grower, becomes President of Bolivia and champions the decriminalization of traditional coca use [20].
- **2011:** Bolivia temporarily withdraws from the 1961 UN Single Convention to defend traditional coca use, rejoining in 2013 with a reservation [37].
- **2017:** Mallinckrodt Pharmaceuticals (Stepan’s cocaine buyer), a major generic opioid manufacturer, agreed to pay settlements for failing to report suspicious orders of controlled substances, contributing to the opioid crisis [12, 34].
- **2020:** Mallinckrodt files for bankruptcy amidst thousands of lawsuits related to its role in the opioid crisis [18, 34].
- **2023:** Mallinckrodt files for a second bankruptcy, cutting \$1 billion from its opioid payout agreement [12, 30, 36].
- **Present:** DEA-monitored monopoly continues, with Stepan Company being the sole authorized importer and processor [1]. Indigenous communities continue to challenge the global prohibition and Coca-Cola’s trademark on the word ”coca”.

Appendix D: Indigenous Coca Use vs U.S. Policy

In several Andean countries, the traditional use of coca leaf is legal, although international export often remains criminalized. For instance, in Bolivia, traditional use is legal under a reservation to the UN Convention [37], despite export being criminalized. Bolivia is actively pushing for global rescheduling by the WHO [2, 3, 35, 42, 43]. Similarly, Peru acknowledges traditional use but heavily restricts export [20, 31]. In Colombia, traditional use is legal for indigenous communities, though export is criminalized. In stark contrast, for the general public in the U.S., coca leaf is not legal, with Coca-Cola being the only entity permitted to use it under a special exemption [1].

Case Study: Bolivia’s Fight for Coca Sovereignty

Bolivia’s struggle for coca sovereignty exemplifies the deep conflict between traditional indigenous practices and international drug prohibition policies. Led by former President Evo Morales, Bolivia formally left the Single Convention on Narcotic Drugs in 2011 to defend the ancestral and cultural use of coca, stating that “the coca leaf is not cocaine” [37]. While Bolivia rejoined in 2013 with a reservation allowing traditional use within its national borders, this exception does not extend to the international export of coca or coca-based products [37]. The U.S. has historically opposed Bolivia’s efforts and pressured for coca eradication, despite Coca-Cola’s continued legal access to the leaf [5]. This disparity highlights the perceived hypocrisy and selective enforcement of international drug laws.

Proposed Policy Recommendations

1. **Fair Licensing and Market Reform:** End the exclusive monopoly granted to Coca-Cola. Implement a fair licensing framework that allows other companies, including indigenous enterprises, to legally import, process, and utilize decocainized coca extract and other coca-based products (e.g., teas, flours) for legitimate commercial purposes. This would promote fair competition and potentially provide economic benefits to coca-growing communities.
2. **Decriminalization and Rescheduling of Coca Leaf:** Advocate for the removal of the coca leaf from Schedule I of the 1961 UN Single Convention on Narcotic Drugs [2, 13, 32, 43]. This would acknowledge the scientific distinction between the leaf and cocaine and align international law with the cultural and medicinal realities of Andean peoples [2, 32]. Support the ongoing WHO review process to accurately reflect the non-narcotic nature of the coca leaf in its traditional forms [2, 3, 23, 35, 42, 43].
3. **Enhanced Transparency and Accountability:** Mandate full public disclosure of all coca leaf importation data, including quantities, source countries, and the destination of both decocainized extract and extracted cocaine. Implement stricter oversight mechanisms for the DEA and all entities involved in the legal coca supply chain to ensure accountability and prevent illicit diversions.
4. **Integration of Human Rights and Indigenous Rights:** Center human rights and indigenous rights in drug policy discussions. Recognize and protect the rights of indigenous peoples to self-determination, culture, and traditional practices related to the coca leaf, as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) [43]. Ensure that alternative development programs in coca-growing regions are truly voluntary, sustainable, and respect local communities’ needs and cultural ties to the plant.
5. **Re-evaluation of U.S. Drug Policy:** Critically reassess the effectiveness and ethical implications of the U.S. “War on Drugs,” particularly its impact on source countries and indigenous populations [43]. Shift focus from punitive eradication and prohibition to public health, harm reduction, and supporting legal markets for traditional and non-illicit uses of psychoactive plants.

Next Steps

- **File FOIA Requests:** Initiate Freedom of Information Act (FOIA) requests to the DEA and other relevant U.S. government agencies for detailed information on agreements, licenses, and oversight protocols related to coca leaf importation and processing by Stepan Company and its clients.
- **Push for Public Hearings and Legislative Review:** Advocate for congressional hearings and legislative review of the existing coca leaf monopoly and its consistency with current U.S. foreign policy objectives and human rights commitments.
- **Support Indigenous Coca Initiatives:** Actively support and collaborate with indigenous organizations and businesses in Andean countries that are working to commercialize legitimate, decocainized coca products and challenge existing trademarks that appropriate their cultural heritage.
- **Publish Investigative Journalism and Academic Research:** Continue to publish investigative reports and academic research on the regulatory disparities, economic impacts, and human rights implications of the U.S. coca leaf monopoly and global drug policy.
- **Engage International Bodies:** Pressure the UN and WHO to expedite the re-evaluation of coca leaf scheduling and to fully consider the historical, cultural, and scientific evidence supporting its decriminalization for traditional uses [2, 3, 23, 35, 42, 43].