

1 ENGROSSED

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 63**

5 (By Senator K. Facemyer)

6 \_\_\_\_\_  
7 [Originating in the Committee on Health and Human Resources;  
8 reported January 26, 2011.]  
9 \_\_\_\_\_

10  
11 A BILL to amend and reenact §60A-1-101 of the Code of West  
12 Virginia, 1931, as amended; and to amend and reenact  
13 §60A-2-201 and §60A-2-204 of said code, all relating to  
14 defining key terms; modifying the authority of the Board of  
15 Pharmacy to add or delete substances to the schedules of  
16 controlled substances or reschedule substances; and adding  
17 synthetic cannabinoids synthetic, cocaine-like substances and  
18 N-benzylpiperazine to the Schedule I list of controlled  
19 substances.

20 *Be it enacted by the Legislature of West Virginia:*

21 That §60A-1-101 of the Code of West Virginia, 1931, as  
22 amended, be amended and reenacted; and that §60A-2-201 and §60A-2-  
23 204 of said code be amended and reenacted, all to read as follows:

24 **ARTICLE 1. DEFINITIONS**

25 **§60A-1-101. Definitions.**

1 As used in this act:

2 (a) "Administer" means the direct application of a controlled  
3 substance whether by injection, inhalation, ingestion or any other  
4 means to the body of a patient or research subject by:

5 (1) A practitioner (or, in his presence, by his authorized  
6 agent); or

7 (2) The patient or research subject at the direction and in  
8 the presence of the practitioner.

9 (b) "Agent" means an authorized person who acts on behalf of  
10 or at the direction of a manufacturer, distributor or dispenser. It  
11 does not include a common or contract carrier, public warehouseman  
12 or employee of the carrier or warehouseman.

13 ~~(c) "Bureau" means the "Bureau of Narcotics and Dangerous~~  
14 ~~Drugs, United States Department of Justice" or its successor~~  
15 ~~agency.~~

16 (c) "Analogue" means a substance that, in relation to a  
17 controlled substance, has a substantially similar chemical  
18 structure.

19 (d) "Bureau" means the "Bureau of Narcotics and Dangerous  
20 Drugs, United States Department of Justice" or its successor  
21 agency.

22 ~~(d)~~ (e) "Controlled substance" means a drug, substance or  
23 immediate precursor in Schedules I through V of article two.

24 ~~(e)~~ (f) "Counterfeit substance" means a controlled substance  
25 which, or the container or labeling of which, without  
26 authorization, bears the trademark, trade name or other identifying

1 mark, imprint, number or device, or any likeness thereof, of a  
2 manufacturer, distributor or dispenser other than the person who in  
3 fact manufactured, distributed or dispensed the substance.

4 ~~(f)~~ (g) "Imitation controlled substance" means: (1) A  
5 controlled substance which is falsely represented to be a different  
6 controlled substance; (2) a drug or substance which is not a  
7 controlled substance but which is falsely represented to be a  
8 controlled substance; or (3) a controlled substance or other drug  
9 or substance or a combination thereof which is shaped, sized,  
10 colored, marked, imprinted, numbered, labeled, packaged,  
11 distributed or priced so as to cause a reasonable person to believe  
12 that it is a controlled substance.

13 ~~(g)~~ (h) "Deliver" or "delivery" means the actual, constructive  
14 or attempted transfer from one person to another of: (1) A  
15 controlled substance, whether or not there is an agency  
16 relationship; (2) a counterfeit substance; or (3) an imitation  
17 controlled substance.

18 ~~(h)~~ (i) "Dispense" means to deliver a controlled substance to  
19 an ultimate user or research subject by or pursuant to the lawful  
20 order of a practitioner, including the prescribing, administering,  
21 packaging, labeling or compounding necessary to prepare the  
22 substance for that delivery.

23 ~~(i)~~ (j) "Dispenser" means a practitioner who dispenses.

24 ~~(j)~~ (k) "Distribute" means to deliver, other than by  
25 administering or dispensing, a controlled substance, a counterfeit  
26 substance or an imitation controlled substance.

1       ~~(k)~~ (l) "Distributor" means a person who distributes.

2       ~~(l)~~ (m) "Drug" means: (1) Substances recognized as drugs in  
3 the official "United States Pharmacopoeia, official Homeopathic  
4 Pharmacopoeia of the United States or official National Formulary",  
5 or any supplement to any of them; (2) substances intended for use  
6 in the diagnosis, cure, mitigation, treatment or prevention of  
7 disease in man or animals; (3) substances (other than food)  
8 intended to affect the structure or any function of the body of man  
9 or animals; and (4) substances intended for use as a component of  
10 any article specified in clause (1), (2) or (3) of this  
11 subdivision. It does not include devices or their components, parts  
12 or accessories.

13       (n) "Immediate Derivative" means a substance which the "West  
14 Virginia Board of Pharmacy" (hereinafter in this act referred to as  
15 the State Board of Pharmacy) has found to be and by rule designates  
16 as being the principal compound or any analogue of the parent  
17 compound manufactured from a known controlled substance primarily  
18 for use and which has equal or similar pharmacologic activity as  
19 the parent compound which is necessary to prevent, curtail or limit  
20 manufacture.

21       ~~(m)~~ (o) "Immediate precursor" means a substance which the  
22 ~~"West Virginia Board of Pharmacy" (hereinafter in this act referred~~  
23 ~~to as the State Board of Pharmacy)~~ State Board of Pharmacy has  
24 found to be and by rule designates as being the principal compound  
25 commonly used or produced primarily for use and which is an  
26 immediate chemical intermediary used or likely to be used in the

1 manufacture of a controlled substance, the control of which is  
2 necessary to prevent, curtail or limit manufacture.

3 ~~(n)~~ (p) "Manufacture" means the production, preparation,  
4 propagation, compounding, conversion or processing of a controlled  
5 substance, either directly or indirectly or by extraction from  
6 substances of natural origin, or independently by means of chemical  
7 synthesis, or by a combination of extraction and chemical  
8 synthesis, and includes any packaging or repackaging of the  
9 substance or labeling or relabeling of its container, except that  
10 this term does not include the preparation, compounding, packaging  
11 or labeling of a controlled substance:

12 (1) By a practitioner as an incident to his administering or  
13 dispensing of a controlled substance in the course of his  
14 professional practice; or

15 (2) By a practitioner, or by his authorized agent under his  
16 supervision, for the purpose of, or as an incident to, research,  
17 teaching or chemical analysis and not for sale.

18 ~~(o)~~ (q) "Marijuana" means all parts of the plant "Cannabis  
19 sativa L.", whether growing or not; the seeds thereof; the resin  
20 extracted from any part of the plant; and every compound,  
21 manufacture, salt, derivative, mixture or preparation of the plant,  
22 its seeds or resin. It does not include the mature stalks of the  
23 plant, fiber produced from the stalks, oil or cake made from the  
24 seeds of the plant, any other compound, manufacture, salt,  
25 derivative, mixture or preparation of the mature stalks (except the  
26 resin extracted therefrom), fiber, oil or cake, or the sterilized

1 seed of the plant which is incapable of germination.

2 ~~(p)~~ (r) "Narcotic drug" means any of the following, whether  
3 produced directly or indirectly by extraction from substances of  
4 vegetable origin or independently by means of chemical synthesis,  
5 or by a combination of extraction and chemical synthesis:

6 (1) Opium and opiate and any salt, compound, derivative or  
7 preparation of opium or opiate.

8 (2) Any salt, compound, isomer, derivative or preparation  
9 thereof which is chemically equivalent or identical with any of the  
10 substances referred to in paragraph (1) of this subdivision, but  
11 not including the isoquinoline alkaloids of opium.

12 (3) Opium poppy and poppy straw.

13 (4) Coca leaves and any salt, compound, derivative or  
14 preparation of coca leaves and any salt, compound, isomer,  
15 derivative or preparation thereof which is chemically equivalent or  
16 identical with any of these substances, but not including  
17 decocainized coca leaves or extractions of coca leaves which do not  
18 contain cocaine or ecgonine.

19 ~~(q)~~ (s) "Opiate" means any substance having an  
20 addiction-forming or addiction-sustaining liability similar to  
21 morphine or being capable of conversion into a drug having  
22 addiction-forming or addiction-sustaining liability. It does not  
23 include, unless specifically designated as controlled under section  
24 two hundred one, article two of this chapter, the dextrorotatory  
25 isomer of 3-methoxy-n-methylmorphinan and its salts  
26 (dextromethorphan). It does not include its racemic and

1 levorotatory forms.

2        ~~(t)~~ (t) "Opium poppy" means the plant of the species "Papaver  
3 somniferum L.", except its seeds.

4        ~~(s)~~ (u) "Person" means individual, corporation, government or  
5 governmental subdivision or agency, business trust, estate, trust,  
6 partnership or association, or any other legal entity.

7        ~~(t)~~ (v) "Placebo" means an inert medicament or preparation  
8 administered or dispensed for its psychological effect, to satisfy  
9 a patient or research subject or to act as a control in  
10 experimental series.

11       ~~(u)~~ (w) "Poppy straw" means all parts, except the seeds, of  
12 the opium poppy after mowing.

13       ~~(v)~~ (x) "Practitioner" means:

14       (1) A physician, dentist, veterinarian, scientific  
15 investigator or other person licensed, registered or otherwise  
16 permitted to distribute, dispense, conduct research with respect  
17 to, or to administer a controlled substance in the course of  
18 professional practice or research in this state.

19       (2) A pharmacy, hospital or other institution licensed,  
20 registered or otherwise permitted to distribute, dispense, conduct  
21 research with respect to, or to administer a controlled substance  
22 in the course of professional practice or research in this state.

23       ~~(w)~~ (y) "Production" includes the manufacture, planting,  
24 cultivation, growing or harvesting of a controlled substance.

25       ~~(x)~~ (z) "State", when applied to a part of the United States,  
26 includes any state, district, commonwealth, territory, insular

1 possession thereof and any area subject to the legal authority of  
2 the United States of America.

3 ~~(y)~~ (aa) "Ultimate user" means a person who lawfully possesses  
4 a controlled substance for his own use or for the use of a member  
5 of his household or for administering to an animal owned by him or  
6 by a member of his household.

7 **ARTICLE 2. STANDARDS AND SCHEDULES.**

8 **§60A-2-201. Authority of state board of pharmacy; recommendations**  
9 **to Legislature.**

10 (a) The state board of pharmacy shall administer the  
11 provisions of this chapter. It shall also, on the first day of each  
12 regular legislative session, recommend to the Legislature which  
13 substances should be added to or deleted from the schedules of  
14 controlled substances contained in this article or reschedule  
15 therein. The state board of pharmacy shall also have the authority  
16 between regular legislative sessions, on an emergency basis, to add  
17 to or delete from the schedules of controlled substances contained  
18 in this article or reschedule such substances ~~based upon the~~  
19 ~~recommendations and approval of the federal food, drug and cosmetic~~  
20 ~~agency,~~ and shall report such actions in the weekly State Register  
21 publication issued by the Secretary of State and on the first day  
22 of the regular legislative session immediately following said  
23 actions.

24 In making any such recommendation regarding a substance, the  
25 state board of pharmacy shall consider the following factors:

1           (1) The actual or relative potential for abuse;

2           (2) The scientific evidence of its pharmacological effect, if  
3 known;

4           (3) The state of current scientific knowledge regarding the  
5 substance;

6           (4) The history and current pattern of abuse;

7           (5) The scope, duration and significance of abuse;

8           (6) The potential of the substance to produce psychic or  
9 physiological dependence liability; and

10          (7) Whether the substance is an immediate precursor of a  
11 substance already controlled under this article.

12          (b) After considering the factors enumerated in subsection  
13 (a), the state board of pharmacy shall make findings with respect  
14 to the substance under consideration. If it finds that any  
15 substance not already controlled under any schedule has a potential  
16 for abuse, it shall recommend to the Legislature that the substance  
17 be added to the appropriate schedule. If it finds that any  
18 substance already controlled under any schedule should be  
19 rescheduled or deleted, it shall so recommend to the Legislature.

20          (c) If the state board of pharmacy designates a substance as  
21 an immediate precursor, substances which are precursors of the  
22 controlled precursor shall not be subject to control solely because  
23 they are precursors of the controlled precursor.

24          (d) If any substance is designated, rescheduled or deleted as  
25 a controlled substance under federal laws and notice thereof is  
26 given to the state board of pharmacy, the board shall recommend

1 similar control of such substance to the Legislature, specifically  
2 stating that such recommendation is based on federal action and the  
3 reasons why the federal government deemed such action necessary and  
4 proper.

5 (e) The authority vested in the board by subsection (a) of  
6 this section shall not extend to distilled spirits, wine, malt  
7 beverages or tobacco as those terms are defined or used in other  
8 chapters of this code nor to any nonnarcotic substance if such  
9 substance may under the "Federal Food, Drug and Cosmetic Act" and  
10 the law of this state lawfully be sold over the counter without a  
11 prescription.

12 **ARTICLE 2. STANDARDS AND SCHEDULES.**

13 **§60A-2-204. Schedule I.**

14 (a) Schedule I shall consist of the drugs and other  
15 substances, by whatever official name, common or usual name,  
16 chemical name, or brand name designated, listed in this section.

17 (b) Opiates. Unless specifically excepted or unless listed  
18 in another schedule, any of the following opiates, including their  
19 isomers, esters, ethers, salts and salts of isomers, esters and  
20 ethers, whenever the existence of such isomers, esters, ethers and  
21 salts is possible within the specific chemical designation (for  
22 purposes of subdivision (34) of this subsection only, the term  
23 isomer includes the optical and geometric isomers):

24 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)  
25 -4-piperidinyl]-N-phenylacetamide);

26 (2) Acetylmethadol;

- 1 (3) Allylprodine;
- 2 (4) Alphacetylmethadol (except levoalphacetylmethadol also known as  
3 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);
- 4 (5) Alphameprodine;
- 5 (6) Alphamethadol;
- 6 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)  
7 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(-  
8 propanilido) piperidine);
- 9 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl-  
10 4-piperidiny]-N-phenylpropanamide);
- 11 (9) Benzethidine;
- 12 (10) Betacetylmethadol;
- 13 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl) -4-  
14 piperidiny]-N-phenylpropanamide);
- 15 (12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-  
16 hydroxy-2-phenethyl)-3-methyl-4-piperidiny]-N-phenylpropanamide);
- 17 (13) Betameprodine;
- 18 (14) Betamethadol;
- 19 (15) Betaprodine;
- 20 (16) Clonitazene;
- 21 (17) Dextromoramide;
- 22 (18) Diampromide;
- 23 (19) Diethylthiambutene;
- 24 (20) Difenoxin;
- 25 (21) Dimenoxadol;
- 26 (22) Dimepheptanol;

1 (23) Dimethylthiambutene;  
2 (24) Dioxaphetyl butyrate;  
3 (25) Dipipanone;  
4 (26) Ethylmethylthiambutene;  
5 (27) Etonitazene;  
6 (28) Etoperidine;  
7 (29) Furethidine;  
8 (30) Hydroxypethidine;  
9 (31) Ketobemidone;  
10 (32) Levomoramide;  
11 (33) Levophenacymorphan;  
12 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-  
13 piperidyl]-N-phenylpropanamide);  
14 (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl) ethyl-4-  
15 piperidinyl]-N-phenylpropanamide);  
16 (36) Morpheridine;  
17 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);  
18 (38) Noracymethadol;  
19 (39) Norlevorphanol;  
20 (40) Normethadone;  
21 (41) Norpipanone;  
22 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-  
23 phenethyl)-4-piperidinyl] propanamide);  
24 (43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);  
25 (44) Phenadoxone;  
26 (45) Phenampromide;

- 1 (46) Phenomorphan;
- 2 (47) Phenoperidine;
- 3 (48) Piritramide;
- 4 (49) Proheptazine;
- 5 (50) Properidine;
- 6 (51) Propiram;
- 7 (52) Racemoramide;
- 8 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
- 9 piperidinyl]-propanamide);
- 10 (54) Tilidine;
- 11 (55) Trimeperidine.
- 12 (c) Opium derivatives. -- Unless specifically excepted or
- 13 unless listed in another schedule, any of the following opium
- 14 derivatives, its salts, isomers and salts of isomers whenever the
- 15 existence of such salts, isomers and salts of isomers is possible
- 16 within the specific chemical designation:
- 17 (1) Acetorphine;
- 18 (2) Acetyldihydrocodeine;
- 19 (3) Benzylmorphine;
- 20 (4) Codeine methylbromide;
- 21 (5) Codeine-N-Oxide;
- 22 (6) Cyprenorphine;
- 23 (7) Desomorphine;
- 24 (8) Dihydromorphine;
- 25 (9) Drotebanol;
- 26 (10) Etorphine (except HCl Salt);

- 1 (11) Heroin;
- 2 (12) Hydromorphenol;
- 3 (13) Methyldesorphine;
- 4 (14) Methyldihydromorphine;
- 5 (15) Morphine methylbromide;
- 6 (16) Morphine methylsulfonate;
- 7 (17) Morphine-N-Oxide;
- 8 (18) Myrophine;
- 9 (19) Nicocodeine;
- 10 (20) Nicomorphine;
- 11 (21) Normorphine;
- 12 (22) Pholcodine;
- 13 (23) Thebacon.

14 (d) Hallucinogenic substances. -- Unless specifically  
15 excepted or unless listed in another schedule, any material,  
16 compound, mixture or preparation, which contains any quantity of  
17 the following hallucinogenic substances, or which contains any of  
18 its salts, isomers and salts of isomers, whenever the existence of  
19 such salts, isomers, and salts of isomers is possible within the  
20 specific chemical designation (for purposes of this subsection  
21 only, the term "isomer" includes the optical, position and  
22 geometric isomers):

23 (1) Alpha-ethyltryptamine; some trade or other names:  
24 etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-  
25 aminobutyl) indole; alpha-ET; and AET;

26 (2) 4-bromo-2, 5-dimethoxy-amphetamine; some trade or other

1 names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-  
2 2,5-DMA;

3 (3) 4-Bromo-2,5-dimethoxyphenethylamine; some trade or other  
4 names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-  
5 desmethyl DOB; 2C-B, Nexus;

6 (4) 2,5-dimethoxyamphetamine; some trade or other names:  
7 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA;

8 (5) 2,5-dimethoxy-4-ethylamphet-amine; some trade or other  
9 names: DOET;

10 (6) 4-methoxyamphetamine; some trade or other names:  
11 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA;

12 (7) 5-methoxy-3,4-methylenedioxy-amphetamine;

13 (8) 4-methyl-2,5-dimethoxy-amphetamine; some trade and other  
14 names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM";  
15 and "STP";

16 (9) 3,4-methylenedioxy amphetamine;

17 (10) 3,4-methylenedioxymethamphetamine (MDMA);

18 (11) 3,4-methylenedioxy-N-ethylamphetamine (also known as -  
19 ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl  
20 MDA, MDE, MDEA);

21 (12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as -  
22 hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and -  
23 hydroxy MDA);

24 (13) 3,4,5-trimethoxy amphetamine;

25 (14) Bufotenine; some trade and other names: 3-  
26 (beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)

1 -5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-  
2 dimethyltryptamine; mappine;  
3 (15) Diethyltryptamine; some trade and other names: N,  
4 N-Diethyltryptamine; DET;  
5 (16) Dimethyltryptamine; some trade or other names: DMT;  
6 (17) Ibogaine; some trade and other names: 7-Ethyl-6, 6  
7 Beta, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-  
8 pyrido [1', 2': 1, 2] azepino [5,4-b] indole; Tabernanthe iboga;  
9 (18) Lysergic acid diethylamide;  
10 (19) Marihuana;  
11 (20) Mescaline;  
12 (21) Parahexyl-7374; some trade or other names: 3-Hexyl  
13 -1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo  
14 [b,d] pyran; Synhexyl;  
15 (22) Peyote; meaning all parts of the plant presently  
16 classified botanically as *Lophophora williamsii* Lemaire, whether  
17 growing or not, the seeds thereof, any extract from any part of  
18 such plant, and every compound, manufacture, salts, derivative,  
19 mixture or preparation of such plant, its seeds or extracts;  
20 (23) N-ethyl-3-piperidyl benzilate;  
21 (24) N-methyl-3-piperidyl benzilate;  
22 (25) Psilocybin;  
23 (26) Psilocyn;  
24 (27) Tetrahydrocannabinols; synthetic equivalents of the  
25 substances contained in the plant, or in the resinous extractives  
26 of *Cannabis*, sp. and/or synthetic substances, immediate derivatives

1 or analogues and their isomers with similar chemical structure and  
2 pharmacological activity such as the following:

3       delta-1 Cis or trans tetrahydrocannabinol, and their optical  
4 isomers;

5       delta-6 Cis or trans tetrahydrocannabinol, and their optical  
6 isomers;

7       delta-3,4 Cis or trans tetrahydrocannabinol, and its optical  
8 isomers;

9       (Since nomenclature of these substances is not internationally  
10 standardized, compounds of these structures, regardless of  
11 numerical designation of atomic positions covered.)

12       (28) Ethylamine analog of phencyclidine; some trade or other  
13 names:       N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)  
14 ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

15       (29) Pyrrolidine analog of phencyclidine; some trade or other  
16 names:       1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

17       (30) Thiophene analog of phencyclidine; some trade or other  
18 names:       1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of  
19 phencyclidine; TPCP, TCP;

20       (31) 1[1-(2-thienyl)cyclohexyl]pyrrolidine; some other names:  
21 TCPy.

22       (32) Synthetic Cannabinoids as follows:

23       (a)

24 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol) {also  
25 known as CP 47,497 and homologues};

26       (b)

1 rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol  
2 {also known as CP 47,497-C8 homolog};  
3 (c)  
4 [(6aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7  
5 ,10,10a-tetrahydrobenzo[c]chromen-1-ol] {also known as HU-210};  
6 (d)  
7 (dexanabinol), (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-meth  
8 yloctan-2-yl)-6a,7,10,10a-tetrahydrobenzol[c]chromen-1-ol) {also  
9 known as HU-211};  
10 (e) 1-Pentyl-3-(1-naphthoyl)indole {also known as JWH-018};  
11 (f) 1-Butyl-3-(1-naphthoyl)indole {also known as JWH-073};  
12 (g) (2-methyl-1-propyl-1H-indol-3-yl)-1naphthalenyl-methanone  
13 {also known as JWH-015};  
14 (h) (1-hexyl-1H-indol-3-yl)-1-naphthalenyl-methanone {also  
15 known as JWH-019};  
16 (i)  
17 [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-methanone  
18 {also known as JWH-200};  
19 (j) 1-(1-pentyl-1H-indol-3-yl)-2-(3-hydroxyphenyl)-ethanone  
20 {also known as JWH-250};  
21 (k)  
22 2-((1S,2S,5S)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl)-5-(2-methy  
23 loctan-2-yl)phenol {also known as CP 55,940};  
24 (l)  
25 (4-methyl-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone {also  
26 known as JWH-122};

1 (m)

2 (4-methyl-1-naphthalenyl) (1-pentyl-1H-indol-3-yl)-methanone {also  
3 known as JWH-398;

4 (n) (4-methoxyphenyl) (1-pentyl-1H-indol-3-yl)methanone {also  
5 known as RCS-4};

6 (o)

7 1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenyl)ethanone  
8 {also known as RCS-8}; and

9 Since nomenclature of these substances is not internationally  
10 standardized, any immediate precursor or immediate derivative of  
11 these substances shall be covered;

12 (e) Depressants. Unless specifically excepted or unless  
13 listed in another schedule, any material, compound, mixture, or  
14 preparation which contains any quantity of the following substances  
15 having a depressant effect on the central nervous system, including  
16 its salts, isomers and salts of isomers whenever the existence of  
17 such salts, isomers and salts of isomers is possible within the  
18 specific chemical designation:

19 (1) Mecloqualone;

20 (2) Methaqualone.

21 (f) Stimulants. Unless specifically excepted or unless  
22 listed in another schedule, any material, compound, mixture, or  
23 preparation which contains any quantity of the following substances  
24 having a stimulant effect on the central nervous system, including  
25 its salts, isomers, and salts of isomers:

26 (1) Aminorex; some other names: aminoxaphen; 2-amino-5-

1 phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine;

2 (2) Cathinone; some trade or other names: 2-amino-1-phenyl-1-

3 propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and

4 norephedrone;

5 (3) Fenethylamine;

6 (4) Methcathinone, its immediate precursors, immediate

7 derivatives and analogues, its salts, optical isomers and salts of

8 optical isomers; some other names: (2-(methylamino)-propiophenone;

9 alpha-(methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-

10 one; alpha-N-methylaminopropiophenone; monomethylpropion;

11 3,4-methylenedioxypropylamphetamine (MDPV), mephedrone; ephedrone;

12 N-methylcathinone; methylcathinone; AL-464; AL-422; AL- 463 and

13 UR1432;

14 (5) (+-) cis-4-methylaminorex; ((+)-cis-4,5-dihydro-4-methyl-

15 5-phenyl-2-oxazolamine);

16 (6) N-ethylamphetamine;

17 (7) N,N-dimethylamphetamine; also known as N,N-alpha-

18 trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.

19 (8) N-benzylpiperazine; also known as BZP.

20 (g) Temporary listing of substances subject to emergency

21 scheduling. Any material, compound, mixture or preparation which

22 contains any quantity of the following substances:

23 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide

24 (benzylfentanyl), its optical isomers, salts, and salts of isomers.

25 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide

(thenylfentanyl), its optical isomers, salts and salts of isomers.