

E N G R O S S E D

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 63

(By Senator K. Facemyer)

[Originating in the Committee on Health and Human Resources;
reported January 26, 2011.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. DEFINITIONS

§60A-1-101. Definitions.

1 As used in this act:

2 (a) “Administer” means the direct application of a con-
3 trolled substance whether by injection, inhalation, ingestion
4 or any other means to the body of a patient or research
5 subject by:

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

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

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

15 ~~(c)~~ “Bureau” means the ~~“Bureau of Narcotics and Danger-~~
16 ~~ous Drugs, United States Department of Justice”~~ or its
17 ~~successor agency.~~

18 (c) “Analogue” means a substance that, in relation to a
19 controlled substance, has a substantially similar chemical
20 structure.

21 ~~(d)~~ “Bureau” means the “Bureau of Narcotics and Danger-
22 ous Drugs, United States Department of Justice” or its
23 successor agency.

24 ~~(d)~~ (e) “Controlled substance” means a drug, substance or
25 immediate precursor in Schedules I through V of article two.

26 ~~(e)~~ (f) “Counterfeit substance” means a controlled sub-
27 stance which, or the container or labeling of which, without
28 authorization, bears the trademark, trade name or other
29 identifying mark, imprint, number or device, or any likeness
30 thereof, of a manufacturer, distributor or dispenser other
31 than the person who in fact manufactured, distributed or
32 dispensed the substance.

33 ~~(f)~~ (g) “Imitation controlled substance” means: (1) A
34 controlled substance which is falsely represented to be a
35 different controlled substance; (2) a drug or substance which
36 is not a controlled substance but which is falsely represented

37 to be a controlled substance; or (3) a controlled substance or
38 other drug or substance or a combination thereof which is
39 shaped, sized, colored, marked, imprinted, numbered,
40 labeled, packaged, distributed or priced so as to cause a
41 reasonable person to believe that it is a controlled substance.

42 ~~(g)~~ (h) “Deliver” or “delivery” means the actual, construc-
43 tive or attempted transfer from one person to another of: (1)
44 A controlled substance, whether or not there is an agency
45 relationship; (2) a counterfeit substance; or (3) an imitation
46 controlled substance.

47 ~~(h)~~ (i) “Dispense” means to deliver a controlled substance
48 to an ultimate user or research subject by or pursuant to the
49 lawful order of a practitioner, including the prescribing,
50 administering, packaging, labeling or compounding neces-
51 sary to prepare the substance for that delivery.

52 ~~(i)~~ (j) “Dispenser” means a practitioner who dispenses.

53 ~~(j)~~ (k) “Distribute” means to deliver, other than by admin-
54 istering or dispensing, a controlled substance, a counterfeit
55 substance or an imitation controlled substance.

56 ~~(k)~~ (l) “Distributor” means a person who distributes.

57 ~~(l)~~ (m) “Drug” means: (1) Substances recognized as drugs
58 in the official “United States Pharmacopoeia, official

59 Homeopathic Pharmacopoeia of the United States or official
60 National Formulary”, or any supplement to any of them; (2)
61 substances intended for use in the diagnosis, cure, mitiga-
62 tion, treatment or prevention of disease in man or animals;
63 (3) substances (other than food) intended to affect the
64 structure or any function of the body of man or animals; and
65 (4) substances intended for use as a component of any article
66 specified in clause (1), (2) or (3) of this subdivision. It does
67 not include devices or their components, parts or accessories.

68 (n) “Immediate Derivative” means a substance which the
69 “West Virginia Board of Pharmacy” (hereinafter in this act
70 referred to as the State Board of Pharmacy) has found to be
71 and by rule designates as being the principal compound or
72 any analogue of the parent compound manufactured from a
73 known controlled substance primarily for use and which has
74 equal or similar pharmacologic activity as the parent
75 compound which is necessary to prevent, curtail or limit
76 manufacture.

77 ~~(m)~~ (o) “Immediate precursor” means a substance which
78 the ~~“West Virginia Board of Pharmacy”~~ (hereinafter in this
79 act referred to as the State Board of Pharmacy) State Board
80 of Pharmacy has found to be and by rule designates as being

81 the principal compound commonly used or produced primar-
82 ily for use and which is an immediate chemical intermediary
83 used or likely to be used in the manufacture of a controlled
84 substance, the control of which is necessary to prevent,
85 curtail or limit manufacture.

86 (n) (p) "Manufacture" means the production, preparation,
87 propagation, compounding, conversion or processing of a
88 controlled substance, either directly or indirectly or by
89 extraction from substances of natural origin, or independ-
90 ently by means of chemical synthesis, or by a combination of
91 extraction and chemical synthesis, and includes any packag-
92 ing or repackaging of the substance or labeling or relabeling
93 of its container, except that this term does not include the
94 preparation, compounding, packaging or labeling of a
95 controlled substance:

96 (1) By a practitioner as an incident to his administering or
97 dispensing of a controlled substance in the course of his
98 professional practice; or

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

102 ~~(o)~~ (q) “Marijuana” means all parts of the plant “Cannabis
103 sativa L.”, whether growing or not; the seeds thereof; the
104 resin extracted from any part of the plant; and every com-
105 pound, manufacture, salt, derivative, mixture or preparation
106 of the plant, its seeds or resin. It does not include the mature
107 stalks of the plant, fiber produced from the stalks, oil or cake
108 made from the seeds of the plant, any other compound,
109 manufacture, salt, derivative, mixture or preparation of the
110 mature stalks (except the resin extracted therefrom), fiber,
111 oil or cake, or the sterilized seed of the plant which is
112 incapable of germination.

113 ~~(p)~~ (r) “Narcotic drug” means any of the following, whether
114 produced directly or indirectly by extraction from sub-
115 stances of vegetable origin or independently by means of
116 chemical synthesis, or by a combination of extraction and
117 chemical synthesis:

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

120 (2) Any salt, compound, isomer, derivative or preparation
121 thereof which is chemically equivalent or identical with any
122 of the substances referred to in paragraph (1) of this subdivi-
123 sion, but not including the isoquinoline alkaloids of opium.

124 (3) Opium poppy and poppy straw.

125 (4) Coca leaves and any salt, compound, derivative or
126 preparation of coca leaves and any salt, compound, isomer,
127 derivative or preparation thereof which is chemically
128 equivalent or identical with any of these substances, but not
129 including decocainized coca leaves or extractions of coca
130 leaves which do not contain cocaine or ecgonine.

131 ~~(c)~~ (s) “Opiate” means any substance having an addic-
132 tion-forming or addiction-sustaining liability similar to
133 morphine or being capable of conversion into a drug having
134 addiction-forming or addiction-sustaining liability. It does
135 not include, unless specifically designated as controlled
136 under section two hundred one, article two of this chapter,
137 the dextrorotatory isomer of 3-methoxy-n-methylmorphinan
138 and its salts (dextromethorphan). It does not include its
139 racemic and levorotatory forms.

140 (t) “Opium poppy” means the plant of the species “Papaver
141 somniferum L.”, except its seeds.

142 ~~(s)~~ (u) “Person” means individual, corporation, government
143 or governmental subdivision or agency, business trust, estate,
144 trust, partnership or association, or any other legal entity.

145 ~~(t)~~ (v) “Placebo” means an inert medicament or preparation
146 administered or dispensed for its psychological effect, to

147 satisfy a patient or research subject or to act as a control in
148 experimental series.

149 ~~(u)~~ (w) “Poppy straw” means all parts, except the seeds, of
150 the opium poppy after mowing.

151 ~~(v)~~ (x) “Practitioner” means:

152 (1) A physician, dentist, veterinarian, scientific investiga-
153 tor or other person licensed, registered or otherwise permit-
154 ted to distribute, dispense, conduct research with respect to,
155 or to administer a controlled substance in the course of
156 professional practice or research in this state.

157 (2) A pharmacy, hospital or other institution licensed,
158 registered or otherwise permitted to distribute, dispense,
159 conduct research with respect to, or to administer a con-
160 trolled substance in the course of professional practice or
161 research in this state.

162 ~~(w)~~ (y) “Production” includes the manufacture, planting,
163 cultivation, growing or harvesting of a controlled substance.

164 ~~(x)~~ (z) “State”, when applied to a part of the United States,
165 includes any state, district, commonwealth, territory, insular
166 possession thereof and any area subject to the legal authority
167 of the United States of America.

168 (y) (aa) “Ultimate user” means a person who lawfully
169 possesses a controlled substance for his own use or for the
170 use of a member of his household or for administering to an
171 animal owned by him or by a member of his household.

ARTICLE 2. STANDARDS AND SCHEDULES.

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

1 (a) The state board of pharmacy shall administer the
2 provisions of this chapter. It shall also, on the first day of
3 each regular legislative session, recommend to the Legisla-
4 ture which substances should be added to or deleted from the
5 schedules of controlled substances contained in this article
6 or reschedule therein. The state board of pharmacy shall also
7 have the authority between regular legislative sessions, on an
8 emergency basis, to add to or delete from the schedules of
9 controlled substances contained in this article or reschedule
10 such substances ~~based upon the recommendations and~~
11 ~~approval of the federal food, drug and cosmetic agency, and~~
12 shall report such actions in the weekly State Register
13 publication issued by the Secretary of State and on the first
14 day of the regular legislative session immediately following
15 said actions.

16 In making any such recommendation regarding a sub-
17 stance, the state board of pharmacy shall consider the
18 following factors:

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

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

22 (3) The state of current scientific knowledge regarding the
23 substance;

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

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

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

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

30 (b) After considering the factors enumerated in subsection
31 (a), the state board of pharmacy shall make findings with
32 respect to the substance under consideration. If it finds that
33 any substance not already controlled under any schedule has
34 a potential for abuse, it shall recommend to the Legislature
35 that the substance be added to the appropriate schedule. If
36 it finds that any substance already controlled under any
37 schedule should be rescheduled or deleted, it shall so
38 recommend to the Legislature.

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

43 (d) If any substance is designated, rescheduled or deleted
44 as a controlled substance under federal laws and notice
45 thereof is given to the state board of pharmacy, the board
46 shall recommend similar control of such substance to the
47 Legislature, specifically stating that such recommendation
48 is based on federal action and the reasons why the federal
49 government deemed such action necessary and proper.

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

ARTICLE 2. STANDARDS AND SCHEDULES.

§60A-2-204. Schedule I.

1 (a) Schedule I shall consist of the drugs and other sub-
2 stances, by whatever official name, common or usual name,

3 chemical name, or brand name designated, listed in this
4 section.

5 (b) Opiates. Unless specifically excepted or unless listed
6 in another schedule, any of the following opiates, including
7 their isomers, esters, ethers, salts and salts of isomers, esters
8 and ethers, whenever the existence of such isomers, esters,
9 ethers and salts is possible within the specific chemical
10 designation (for purposes of subdivision (34) of this subsec-
11 tion only, the term isomer includes the optical and geometric
12 isomers):

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

15 (2) Acetylmethadol;

16 (3) Allylprodine;

17 (4) Alphacetylmethadol (except levoalphacetylmethadol also
18 known as levo-alpha-acetylmethadol, levomethadyl acetate,
19 or LAAM);

20 (5) Alphameprodine;

21 (6) Alphamethadol;

22 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-
23 phenyl) ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-
24 phenylethyl)-4-(propanilido) piperidine);

- 25 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)
26 ethyl- 4-piperidinyl]-N-phenylpropanamide);
- 27 (9) Benzethidine;
- 28 (10) Betacetylmethadol;
- 29 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)
30 -4- piperidinyl]-N-phenylpropanamide);
- 31 (12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-
32 hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylp
33 ropanamide);
- 34 (13) Betameprodine;
- 35 (14) Betamethadol;
- 36 (15) Betaprodine;
- 37 (16) Clonitazene;
- 38 (17) Dextromoramide;
- 39 (18) Diampromide;
- 40 (19) Diethylthiambutene;
- 41 (20) Difenoxin;
- 42 (21) Dimenoxadol;
- 43 (22) Dimepheptanol;
- 44 (23) Dimethylthiambutene;
- 45 (24) Dioxaphetyl butyrate;
- 46 (25) Dipipanone;

- 47 (26) Ethylmethylthiambutene;
- 48 (27) Etonitazene;
- 49 (28) Etoxidine;
- 50 (29) Furethidine;
- 51 (30) Hydroxypethidine;
- 52 (31) Ketobemidone;
- 53 (32) Levomoramide;
- 54 (33) Levophenacymorphan;
- 55 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
56 piperidyl]-N-phenylpropanamide);
- 57 (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)
58 ethyl-4- piperidinyl]-N-phenylpropanamide);
- 59 (36) Morpheridine;
- 60 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 61 (38) Noracymethadol;
- 62 (39) Norlevorphanol;
- 63 (40) Normethadone;
- 64 (41) Norpipanone;
- 65 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-
66 phenethyl)-4-piperidinyl] propanamide);
- 67 (43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxy-
68 piperidine);

- 69 (44) Phenadoxone;
- 70 (45) Phenampromide;
- 71 (46) Phenomorphan;
- 72 (47) Phenoperidine;
- 73 (48) Piritramide;
- 74 (49) Proheptazine;
- 75 (50) Properidine;
- 76 (51) Propiram;
- 77 (52) Racemoramide;
- 78 (53)Thiofentanyl(N-phenyl-N-[1-(2-thienyl)ethyl-4-
- 79 piperidiny]-propanamide);
- 80 (54) Tilidine;
- 81 (55) Trimeperidine.
- 82 (c) Opium derivatives. — Unless specifically excepted or
- 83 unless listed in another schedule, any of the following opium
- 84 derivatives, its salts, isomers and salts of isomers whenever
- 85 the existence of such salts, isomers and salts of isomers is
- 86 possible within the specific chemical designation:
- 87 (1) Acetorphine;
- 88 (2) Acetyldihydrocodeine;
- 89 (3) Benzylmorphine;
- 90 (4) Codeine methylbromide;

- 91 (5) Codeine-N-Oxide;
- 92 (6) Cyprenorphine;
- 93 (7) Desomorphine;
- 94 (8) Dihydromorphine;
- 95 (9) Drotebanol;
- 96 (10) Etorphine (except HCl Salt);
- 97 (11) Heroin;
- 98 (12) Hydromorphinol;
- 99 (13) Methyldesorphine;
- 100 (14) Methyldihydromorphine;
- 101 (15) Morphine methylbromide;
- 102 (16) Morphine methylsulfonate;
- 103 (17) Morphine-N-Oxide;
- 104 (18) Myrophine;
- 105 (19) Nicocodeine;
- 106 (20) Nicomorphine;
- 107 (21) Normorphine;
- 108 (22) Pholcodine;
- 109 (23) Thebacon.
- 110 (d) Hallucinogenic substances. — Unless specifically
- 111 excepted or unless listed in another schedule, any material,
- 112 compound, mixture or preparation, which contains any

113 quantity of the following hallucinogenic substances, or
114 which contains any of its salts, isomers and salts of isomers,
115 whenever the existence of such salts, isomers, and salts of
116 isomers is possible within the specific chemical designation
117 (for purposes of this subsection only, the term “isomer”
118 includes the optical, position and geometric isomers):

119 (1) Alpha-ethyltryptamine; some trade or other names:
120 etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine;
121 3-(2-aminobutyl) indole; alpha-ET; and AET;

122 (2) 4-bromo-2, 5-dimethoxy-amphetamine; some trade or
123 other names: 4-bromo-2,5-dimethoxy-alpha- methylphene-
124 thylamine; 4-bromo- 2,5-DMA;

125 (3) 4-Bromo-2,5-dimethoxyphenethylamine; some trade or
126 other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-amino-
127 ethane; alpha- desmethyl DOB; 2C-B, Nexus;

128 (4) 2,5-dimethoxyamphetamine; some trade or other names:
129 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA;

130 (5) 2,5-dimethoxy-4-ethylamphet-amine; some trade or
131 other names: DOET;

132 (6) 4-methoxyamphetamine; some trade or other names:
133 4-methoxy-alpha-methylphenethylamine; paramethoxy-
134 amphetamine; PMA;

- 135 (7) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 136 (8) 4-methyl-2,5-dimethoxy-amphetamine; some trade and
137 other names: 4-methyl-2,5-dimethoxy-alpha-methylphene-
138 thylamine; "DOM"; and "STP";
- 139 (9) 3,4-methylenedioxy amphetamine;
- 140 (10) 3,4-methylenedioxymethamphetamine (MDMA);
- 141 (11) 3,4-methylenedioxy-N-ethylamphetamine (also known
142 as - ethyl-alpha-methyl-3,4 (methylenedioxy) phene-
143 thylamine, N-ethyl MDA, MDE, MDEA);
- 144 (12) N-hydroxy-3,4-methylenedioxyamphetamine (also
145 known as - hydroxy-alpha-methyl-3,4 (methylenedioxy)
146 phenethylamine, and - hydroxy MDA);
- 147 (13) 3,4,5-trimethoxy amphetamine;
- 148 (14) Bufotenine; some trade and other names: 3-
149 (beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethy-
150 laminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-
151 N,N- dimethyltryptamine; mappine;
- 152 (15) Diethyltryptamine; some trade and other names:
153 N, N-Diethyltryptamine; DET;
- 154 (16) Dimethyltryptamine; some trade or other names:
155 DMT;

- 156 (17) Ibogaine; some trade and other names: 7-Ethyl-6, 6
157 Beta, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-
158 5H- pyrido [1', 2': 1, 2] azepino [5,4-b] indole; Tabernanthe
159 iboga;
- 160 (18) Lysergic acid diethylamide;
- 161 (19) Marihuana;
- 162 (20) Mescaline;
- 163 (21) Parahexyl-7374; some trade or other names:
164 3-Hexyl -1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-tri-
165 methyl-6H-dibenzo [b,d] pyran; Synhexyl;
- 166 (22) Peyote; meaning all parts of the plant presently
167 classified botanically as *Lophophora williamsii* Lemaire,
168 whether growing or not, the seeds thereof, any extract from
169 any part of such plant, and every compound, manufacture,
170 salts, derivative, mixture or preparation of such plant, its
171 seeds or extracts;
- 172 (23) N-ethyl-3-piperidyl benzilate;
- 173 (24) N-methyl-3-piperidyl benzilate;
- 174 (25) Psilocybin;
- 175 (26) Psilocyn;
- 176 (27) Tetrahydrocannabinols; synthetic equivalents of the
177 substances contained in the plant, or in the resinous extract-

178 ives of Cannabis, sp. and/or synthetic substances, immediate
179 derivatives or analogues and their isomers with similar
180 chemical structure and pharmacological activity such as the
181 following:

182 delta-1 Cis or trans tetrahydrocannabinol, and their
183 optical isomers;

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

186 delta-3,4 Cis or trans tetrahydrocannabinol, and its optical
187 isomers;

188 (Since nomenclature of these substances is not internation-
189 ally standardized, compounds of these structures, regardless
190 of numerical designation of atomic positions covered.)

191 (28) Ethylamine analog of phencyclidine; some trade or
192 other names: N-ethyl-1-phenylcyclohexylamine, (1-phenyl-
193 cyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine,
194 cyclohexamine, PCE;

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

198 (30) Thiophene analog of phencyclidine; some trade or
199 other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-
200 thienylanalogue of phencyclidine; TPCP, TCP;

201 (31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine; some other
202 names: TCPy.

203 (32) Synthetic Cannabinoids as follows:

204 (a) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-
205 2-yl)phenol {also known as CP 47,497 and homologues};

206 (b) rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methyl-
207 nonan-2-yl)phenol {also known as CP 47,497-C8 homolog};

208 (c) [(6aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyl-
209 octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol]
210 {also known as HU-210};

211 (d) (dexanabinol),(6aS,10aS)-9-(hydroxymethyl)-6,6-
212 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobe
213 nzol[c]chromen-1-ol {also known as HU-211};

214 (e) 1-Pentyl-3-(1-naphthoyl)indole {also known as JWH-
215 018};

216 (f) 1-Butyl-3-(1-naphthoyl)indole {also known as JWH-
217 073};

218 (g) (2-methyl-1-propyl-1H-indol-3-yl)-1naphthalenyl-
219 methanone {also known as JWH-015};

220 (h) (1-hexyl-1H-indol-3-yl)-1-naphthalenyl-methanone
221 {also known as JWH-019};

222 (i) [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-
223 naphthalenyl-methanone {also known as JWH-200};

224 (j) 1-(1-pentyl-1H-indol-3-yl)-2-(3-hydroxyphenyl)-
225 ethanone {also known as JWH-250};

226 (k) 2-((1S,2S,5S)-5-hydroxy-2-(3-hydroxypropyl)cyclo-
227 hexyl)-5-(2-methyloctan-2-yl)phenol {also known as CP
228 55,940};

229 (l) (4-methyl-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-
230 methanone {also known as JWH-122};

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

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

235 (o) 1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxy-
236 phenyl)ethanone {also known as RCS-8}; and

237 Since nomenclature of these substances is not internation-
238 ally standardized, any immediate precursor or immediate
239 derivative of these substances shall be covered;

240 (e) Depressants. Unless specifically excepted or unless
241 listed in another schedule, any material, compound, mixture,
242 or preparation which contains any quantity of the following
243 substances having a depressant effect on the central nervous
244 system, including its salts, isomers and salts of isomers

245 whenever the existence of such salts, isomers and salts of
246 isomers is possible within the specific chemical designation:

247 (1) Mecloqualone;

248 (2) Methaqualone.

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

254 (1) Aminorex; some other names: aminoxaphen; 2-amino-
255 5- phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2- oxazol-
256 amine;

257 (2) Cathinone; some trade or other names: 2-amino-
258 1-phenyl-1-propanone, alpha-aminopropio-phenone,
259 2-aminopropiophenone, and norephedrone;

260 (3) Fenethylline;

261 (4) Methcathinone, its immediate precursors, immediate
262 derivatives and analogues, its salts, optical isomers and salts
263 of optical isomers; some other names: (2-(methylamino)-
264 propiophenone; alpha-(methylamino)propiophenone; 2-
265 (methylamino)-1-phenylpropan-1- one; alpha-N-methyl-
266 aminopropiophenone; monomethylpropion; 3,4-methyl-

267 enedioxypyrovalerone (MDPV), mephedrone; ephedrone;
268 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-
269 463 and UR1432;

270 (5) (+-) cis-4-methylaminorex; ((+)-cis-4,5-dihydro-4-
271 methyl- 5-phenyl-2-oxazolamine);

272 (6) N-ethylamphetamine;

273 (7) N,N-dimethylamphetamine; also known as N,N-alpha-
274 trimethyl-benzeneethanamine; N,N-alpha-trimethyl-
275 phenethylamine.

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

277 (g) Temporary listing of substances subject to emergency
278 scheduling. Any material, compound, mixture or prepara-
279 tion which contains any quantity of the following sub-
280 stances:

281 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
282 (benzylfentanyl), its optical isomers, salts, and salts of
283 isomers.

284 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenyl-
285 propanamide (thienylfentanyl), its optical isomers, salts and
286 salts of isomers.