



1 **ARTICLE 1. DEFINITIONS.**

2 **§60A-1-101. Definitions.**

3 As used in this act:

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

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

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

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

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

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

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

23 (f) "Counterfeit substance" means a controlled substance

1 which, or the container or labeling of which, without  
2 authorization, bears the trademark, trade name or other identifying  
3 mark, imprint, number or device, or any likeness thereof, of a  
4 manufacturer, distributor or dispenser other than the person who in  
5 fact manufactured, distributed or dispensed the substance.

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

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

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

1 (j) "Dispenser" means a practitioner who dispenses.

2 (k) "Distribute" means to deliver, other than by administering  
3 or dispensing, a controlled substance, a counterfeit substance or  
4 an imitation controlled substance.

5 (l) "Distributor" means a person who distributes.

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

17 (n) "Immediate derivative" means a substance which ~~the "West~~  
18 ~~Virginia Board of Pharmacy" has found to be and by rule designates~~  
19 ~~as being~~ is the principal compound or any analogue of the parent  
20 compound manufactured from a known controlled substance primarily  
21 for use and which has equal or similar pharmacologic activity as  
22 the parent compound which is necessary to prevent, curtail or limit  
23 manufacture.

1 (o) "Immediate precursor" means a substance which ~~the "West~~  
2 ~~Virginia Board of Pharmacy"~~ (hereinafter in this act referred to as  
3 ~~the State Board of Pharmacy)~~ has found to be and by rule designates  
4 ~~as being~~ is the principal compound commonly used or produced  
5 primarily for use and which is an immediate chemical intermediary  
6 used or likely to be used in the manufacture of a controlled  
7 substance, the control of which is necessary to prevent, curtail or  
8 limit manufacture.

9 (p) "Manufacture" means the production, preparation,  
10 propagation, compounding, conversion or processing of a controlled  
11 substance, either directly or indirectly or by extraction from  
12 substances of natural origin, or independently by means of chemical  
13 synthesis, or by a combination of extraction and chemical  
14 synthesis, and includes any packaging or repackaging of the  
15 substance or labeling or relabeling of its container, except that  
16 this term does not include the preparation, compounding, packaging  
17 or labeling of a controlled substance:

18 (1) By a practitioner as an incident to his or her  
19 administering or dispensing of a controlled substance in the course  
20 of his or her professional practice; or

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

1 (q) "Marijuana" means all parts of the plant "Cannabis sativa  
2 L.", whether growing or not; the seeds thereof; the resin extracted  
3 from any part of the plant; and every compound, manufacture, salt,  
4 immediate derivative, mixture or preparation of the plant, its  
5 seeds or resin. It does not include the mature stalks of the  
6 plant, fiber produced from the stalks, oil or cake made from the  
7 seeds of the plant, any other compound, manufacture, salt,  
8 immediate derivative, mixture or preparation of the mature stalks  
9 (except the resin extracted therefrom), fiber, oil or cake, or the  
10 sterilized seed of the plant which is incapable of germination.

11 (r) "Narcotic drug" means any of the following, whether  
12 produced directly or indirectly by extraction from substances of  
13 vegetable origin or independently by means of chemical synthesis,  
14 or by a combination of extraction and chemical synthesis:

15 (1) Opium and opiate and any salt, compound, immediate  
16 derivative or preparation of opium or opiate.

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

21 (3) Opium poppy and poppy straw.

22 (4) Coca leaves and any salt, compound, immediate derivative  
23 or preparation of coca leaves and any salt, compound, isomer,

1 immediate derivative or preparation thereof which is chemically  
2 equivalent or identical with any of these substances, but not  
3 including decocainized coca leaves or extractions of coca leaves  
4 which do not contain cocaine or ecgonine.

5 (s) "Opiate" means any substance having an addiction-forming  
6 or addiction-sustaining liability similar to morphine or being  
7 capable of conversion into a drug having addiction-forming or  
8 addiction-sustaining liability. It does not include, unless  
9 specifically designated as controlled under section two hundred  
10 one, article two of this chapter, the dextrorotatory isomer of  
11 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It  
12 does not include its racemic and levorotatory forms.

13 (t) "Opium poppy" means the plant of the species "Papaver  
14 somniferum L.", except its seeds.

15 (u) "Person" means individual, corporation, government or  
16 governmental subdivision or agency, business trust, estate, trust,  
17 partnership or association, or any other legal entity.

18 (v) "Placebo" means an inert medicament or preparation  
19 administered or dispensed for its psychological effect, to satisfy  
20 a patient or research subject or to act as a control in  
21 experimental series.

22 (w) "Poppy straw" means all parts, except the seeds, of the  
23 opium poppy after mowing.

1 (x) "Practitioner" means:

2 (1) A physician, dentist, veterinarian, scientific  
3 investigator or other person licensed, registered or otherwise  
4 permitted to distribute, dispense, conduct research with respect  
5 to, or to administer a controlled substance in the course of  
6 professional practice or research in this state.

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

11 (y) "Production" includes the manufacture, planting,  
12 cultivation, growing or harvesting of a controlled substance.

13 (z) "State", when applied to a part of the United States,  
14 includes any state, district, commonwealth, territory, insular  
15 possession thereof and any area subject to the legal authority of  
16 the United States of America.

17 (aa) "Ultimate user" means a person who lawfully possesses a  
18 controlled substance for his or her own use or for the use of a  
19 member of his or her household or for administering to an animal  
20 owned by him or her or by a member of his or her household.

21 **ARTICLE 2. STANDARDS AND SCHEDULES.**

22 **§60A-2-204. Schedule I.**

23 (a) Schedule I shall consist of the drugs and other

1 substances, by whatever official name, common or usual name,  
2 chemical name, or brand name designated, listed in this section.

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

10 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)  
11 -4-piperidinyl]-N-phenylacetamide);

12 (2) Acetylmethadol;

13 (3) Allylprodine;

14 (4) Alphacetylmethadol (except levoalphacetylmethadol also  
15 known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);

16 (5) Alphameprodine;

17 (6) Alphamethadol;

18 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)  
19 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(-  
20 propanilido) piperidine);

21 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl-  
22 4-piperidinyl]-N-phenylpropanamide);

23 (9) Benzethidine;

- 1 (10) Betacetylmethadol;
- 2 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl) -4-
- 3 piperidinyl]-N-phenylpropanamide);
- 4 (12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-
- 5 hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);
- 6 (13) Betameprodine;
- 7 (14) Betamethadol;
- 8 (15) Betaprodine;
- 9 (16) Clonitazene;
- 10 (17) Dextromoramide;
- 11 (18) Diampromide;
- 12 (19) Diethylthiambutene;
- 13 (20) Difenoquin;
- 14 (21) Dimenoxadol;
- 15 (22) Dimepheptanol;
- 16 (23) Dimethylthiambutene;
- 17 (24) Dioxaphetyl butyrate;
- 18 (25) Dipipanone;
- 19 (26) Ethylmethylthiambutene;
- 20 (27) Etonitazene;
- 21 (28) Etoxadine;
- 22 (29) Furethidine;
- 23 (30) Hydroxypethidine;

- 1 (31) Ketobemidone;
- 2 (32) Levomoramide;
- 3 (33) Levophenacylmorphan;
- 4 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 5 piperidyl]-N-phenylpropanamide);
- 6 (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl) ethyl-4-
- 7 piperidinyl]-N-phenylpropanamide);
- 8 (36) Morpheridine;
- 9 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 10 (38) Noracymethadol;
- 11 (39) Norlevorphanol;
- 12 (40) Normethadone;
- 13 (41) Norpipanone;
- 14 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-
- 15 phenethyl)-4-piperidinyl] propanamide);
- 16 (43) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 17 (44) Phenadoxone;
- 18 (45) Phenampromide;
- 19 (46) Phenomorphan;
- 20 (47) Phenoperidine;
- 21 (48) Piritramide;
- 22 (49) Proheptazine;
- 23 (50) Properidine;

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

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

12 (d) *Hallucinogenic substances.* -- Unless specifically  
13 excepted or unless listed in another schedule, any material,  
14 compound, mixture or preparation, which contains any quantity of  
15 the following hallucinogenic substances, or which contains any of  
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 (for purposes of this subsection  
19 only, the term "isomer" includes the optical, position and  
20 geometric isomers):

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

1           (2) 4-bromo-2, 5-dimethoxy-amphetamine; some trade or other  
2 names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-  
3 2,5-DMA;

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

7           (4) 2,5-dimethoxyamphetamine; some trade or other names:  
8 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA;

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

11           (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name:  
12 2C-T-7);

13           ~~(6)~~ (7) 4-methoxyamphetamine; some trade or other names:  
14 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA;

15           ~~(7)~~           (8)           ~~5-methoxy-3~~           5-methoxy-3,  
16 4-methylenedioxy-amphetamine;

17           ~~(8)~~ (9) 4-methyl-2,5-dimethoxy-amphetamine; some trade and  
18 other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine;  
19 "DOM"; and "STP";

20           ~~(9)~~ (10) 3,4-methylenedioxy amphetamine;

21           ~~(10)~~ (11) 3,4-methylenedioxymethamphetamine (MDMA);

22           ~~(11)~~ (12) 3,4-methylenedioxy-N-ethylamphetamine (also known  
23 as N- ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine,

1 N-ethyl MDA, MDE, MDEA);

2 ~~(12)~~ (13) N-hydroxy-3,4-methylenedioxyamphetamine (also known

3 as N- hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and

4 N- hydroxy MDA);

5 ~~(13)~~ (14) 3,4,5-trimethoxy amphetamine;

6 (15) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);

7 (16) Alpha-methyltryptamine (other name:AMT);

8 ~~(14)~~ (17) Bufotenine; some trade and other names:

9 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoeth

10 yl) -5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-

11 dimethyltryptamine; mappine;

12 ~~(15)~~ (18) Diethyltryptamine; some trade and other

13 names: N, N-Diethyltryptamine; DET;

14 ~~(16)~~ (19) Dimethyltryptamine; some trade or other names:

15 DMT;

16 (20) 5-Methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);

17 ~~(17)~~ (21) Ibogaine; some trade and other names: 7-Ethyl-6,

18 6 Beta, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-

19 pyrido [1', 2': 1, 2] azepino [5,4-b] indole; Tabernanthe iboga;

20 ~~(18)~~ (22) Lysergic acid diethylamide;

21 ~~(19)~~ (23) Marihuana;

22 ~~(20)~~ (24) Mescaline;

23 ~~(21)~~ (25) Parahexyl-7374; some trade or other names:

1 3-Hexyl -1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6,  
2 9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl;  
3 ~~(22)~~ (26) Peyote; meaning all parts of the plant presently  
4 classified botanically as *Lophophora williamsii* Lemaire, whether  
5 growing or not, the seeds thereof, any extract from any part of  
6 such plant, and every compound, manufacture, salts, immediate  
7 derivative, mixture or preparation of such plant, its seeds or  
8 extracts;  
9 ~~(23)~~ (27) N-ethyl-3-piperidyl benzilate;  
10 ~~(24)~~ (28) N-methyl-3-piperidyl benzilate;  
11 ~~(25)~~ (29) Psilocybin;  
12 ~~(26)~~ (30) Psilocyn;  
13 ~~(27)~~ (31) Tetrahydrocannabinols; synthetic equivalents of the  
14 substances contained in the plant, or in the resinous extractives  
15 of *Cannabis*, sp. and/or synthetic substances, immediate derivatives  
16 and their isomers with similar chemical structure and  
17 pharmacological activity such as the following:  
18 delta-1 Cis or trans tetrahydrocannabinol, and their optical  
19 isomers;  
20 delta-6 Cis or trans tetrahydrocannabinol, and their optical  
21 isomers;  
22 delta-3,4 Cis or trans tetrahydrocannabinol, and its optical  
23 isomers;

1 (Since nomenclature of these substances is not internationally  
2 standardized, compounds of these structures, regardless of  
3 numerical designation of atomic positions covered.)

4 ~~(28)~~ (32) Ethylamine analog of phencyclidine; some trade or  
5 other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)  
6 ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

7 ~~(29)~~ (33) Pyrrolidine analog of phencyclidine; some trade or  
8 other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

9 ~~(30)~~ (34) Thiophene analog of phencyclidine; some trade or  
10 other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine,  
11 2-thienylanalog of phencyclidine; TCP, TCP;

12 ~~(31)~~ (35) 1[1-(2-thienyl)cyclohexyl]pyrrolidine; some other  
13 names: TCPy.

14 ~~(32)~~ (36) Synthetic Cannabinoids as follows:

15 ~~( )~~ ( ) ( )  
16 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) (phenol)  
17 {also known as CP 47,497 and homologues};

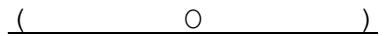
18 ~~( )~~ ( ) ( )  
19 rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol  
20 {also known as CP 47,497-C8 homolog};

21 ~~( )~~ ( ) ( )  
22 [(6aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7  
23 ,10,10a-tetrahydrobenzo[c]chromen-1-ol] {also known as HU-210};



1 known as JWH-398};

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

4 ~~()~~ ()

5 1-(1-(2-cyclohexylethyl)-(1H-indol-3-yl))-2-(2-methoxyphenyl)ethan  
6 one {also known as RCS-8}; and

7 (Since nomenclature of these substances is not internationally  
8 standardized, any immediate precursor or immediate derivative of  
9 these substances shall be covered).

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

17 (1) Mecloqualone;

18 (2) Methaqualone;

19 (3) Gamma Hydroxybutyric Acid (GHB).

20 (f) *Stimulants*. -- Unless specifically excepted or unless  
21 listed in another schedule, any material, compound, mixture, or  
22 preparation which contains any quantity of the following substances  
23 having a stimulant effect on the central nervous system, including

1 its salts, isomers, and salts of isomers:

2 (1) Aminorex; some other names: aminoxaphen; 2-amino-5-  
3 phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine;

4 (2) Cathinone; some trade or other names: 2-amino-1-phenyl-1-  
5 propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and  
6 norephedrone;

7 (3) Fenethylamine;

8 (4) Methcathinone, its immediate precursors and immediate  
9 derivatives, its salts, optical isomers and salts of optical  
10 isomers; some other names: (2-(methylamino)-propiophenone;  
11 alpha-(methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-  
12 one; alpha-N-methylaminopropiophenone; monomethylpropion;  
13 3,4-methylenedioxypropylvalerone and/or  
14 mephedrone; 3,4-methylenedioxypropylvalerone (~~MPVD~~) (MDPV); ephedrone;  
15 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and  
16 UR1432;

17 (5) (+-) cis-4-methylaminorex; ((-) cis-4,5-dihydro-4-methyl-  
18 5-phenyl-2-oxazolamine);

19 (6) N-ethylamphetamine;

20 (7) ~~N,N-dimethylamphetamine~~ N,N dimethylamphetamine; also  
21 known as N,N-alpha-trimethyl-benzeneethanamine;  
22 N,N-alpha-trimethylphenethylamine.

23 (g) *Temporary listing of substances subject to emergency*

1 *scheduling*. -- Any material, compound, mixture or preparation  
2 which contains any quantity of the following substances:

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

5 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide  
6 (thenylfentanyl), its optical isomers, salts and salts of isomers.

7 (8) N-benzylpiperazine, also known as BZP.

8 **§60A-2-206. Schedule II.**

9 (a) Schedule II consists of the drugs and other substances, by  
10 whatever official name, common or usual name, chemical name, or  
11 brand name designated, listed in this section.

12 (b) *Substances, vegetable origin or chemical synthesis*. --  
13 Unless specifically excepted or unless listed in another schedule,  
14 any of the following substances whether produced directly or  
15 indirectly by extraction from substances of vegetable origin, or  
16 independently by means of chemical synthesis, or by a combination  
17 of extraction and chemical synthesis:

18 (1) Opium and opiate, and any salt, compound, derivative or  
19 preparation of opium or opiate excluding apomorphine,  
20 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene,  
21 naloxone and naltrexone, and their respective salts, but including  
22 the following:

23 (A) Raw opium;

- 1 (B) Opium extracts;  
2 (C) Opium fluid;  
3 (D) Powdered opium;  
4 (E) Granulated opium;  
5 (F) Tincture of opium;  
6 (G) Codeine;  
7 (H) Dihydroetorphine;  
8 ~~(H)~~ (I) Ethylmorphine;  
9 ~~(I)~~ (J) Etorphine hydrochloride;  
10 ~~(J)~~ (K) Hydrocodone;  
11 ~~(K)~~ (L) Hydromorphone;  
12 ~~(L)~~ (M) Metopon;  
13 ~~(M)~~ (N) Morphine;  
14 (O) Oripavine;  
15 ~~(N)~~ (P) Oxycodone;  
16 ~~(O)~~ (Q) Oxymorphone;  
17 ~~(P)~~ (R) Thebaine.  
18 (2) Any salt, compound, derivative or preparation thereof  
19 which is chemically equivalent or identical with any of the  
20 substances referred to in subdivision (1) of this subsection,  
21 except that these substances shall not include the isoquinoline  
22 alkaloids of opium;  
23 (3) Opium poppy and poppy straw;

1           (4) Coca leaves and any salt, compound, derivative or  
2 preparation of coca leaves (including cocaine and ecgonine and  
3 their salts, isomers, derivatives and salts of isomers and  
4 derivatives), and any salt, compound, derivative or preparation  
5 thereof which is chemically equivalent or identical with any of  
6 these substances, except that the substances shall not include  
7 decocainized coca leaves or extractions of coca leaves, which  
8 extractions do not contain cocaine or ecgonine;

9           (5) Concentrate of poppy straw (the crude extract of poppy  
10 straw in either liquid, solid or powder form which contains the  
11 phenanthrene alkaloids of the opium poppy).

12           (c) *Opiates*. -- Unless specifically excepted or unless in  
13 another schedule, any of the following opiates, including its  
14 isomers, esters, ethers, salts and salts of isomers, esters and  
15 ethers whenever the existence of such isomers, esters, ethers and  
16 salts is possible within the specific chemical designation,  
17 dextrorphan and levopropoxyphene excepted:

18           (1) Alfentanil;

19           (2) Alphaprodine;

20           (3) Anileridine;

21           (4) Bezitramide;

22           (5) Bulk dextropropoxyphene (nondosage forms);

23           (6) Carfentanil;

- 1 (7) Dihydrocodeine;
- 2 (8) Diphenoxylate;
- 3 (9) Fentanyl;
- 4 (10) Isomethadone;
- 5 (11) Levo-alpha-acetylmethadol; some other names:
- 6 levo-alpha-acetylmethadol, levomethadyl acetate, LAAM;
- 7 (12) Levomethorphan;
- 8 (13) Levorphanol;
- 9 (14) Metazocine;
- 10 (15) Methadone;
- 11 (16) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
- 12 4-diphenyl butane;
- 13 (17) Moramide-Intermediate, 2-methyl-3-morpholino-1,
- 14 1-diphenylpropane-carboxylic acid;
- 15 (18) Pethidine; (meperidine);
- 16 (19) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-
- 17 phenylpiperidine;
- 18 ( 2 0 ) P e t h i d i n e - I n t e r m e d i a t e - B ,
- 19 ethyl-4-phenylpiperidine-4-carboxylate;
- 20 ( 2 1 ) P e t h i d i n e - I n t e r m e d i a t e - C ,
- 21 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 22 (22) Phenazocine;
- 23 (23) Piminodine;

1 (24) Racemethorphan;

2 (25) Racemorphan;

3 (26) Remifentanil;

4 (27) Sufentanil;

5 (28) Tapentadol.

6 (d) *Stimulants.* -- Unless specifically excepted or unless  
7 listed in another schedule, any material, compound, mixture or  
8 preparation which contains any quantity of the following substances  
9 having a stimulant effect on the central nervous system:

10 (1) Amphetamine, its salts, optical isomers and salts of its  
11 optical isomers;

12 (2) Methamphetamine, its salts, isomers and salts of its  
13 isomers;

14 (3) Methylphenidate;

15 (4) Phenmetrazine and its salts;

16 (5) Lisdexamfetamine.

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

1 (1) Amobarbital;

2 (2) Glutethimide;

3 (3) Pentobarbital;

4 (4) Phencyclidine;

5 (5) Secobarbital.

6 (f) Hallucinogenic substances:

7 Nabilone: [Another name for nabilone: (+-)-trans-3-(1,  
8 1-dimethylheptyl)-6, 6a, 7, 8, 10, 10a-hexahydro-1-hydroxy-6,  
9 6-dimethyl-9H-dibenzo [b,d] pyran-9-one].

10 (g) *Immediate precursors.* -- Unless specifically excepted or  
11 unless listed in another schedule, any material, compound, mixture,  
12 or preparation which contains any quantity of the following  
13 substances:

14 (1) Immediate precursor to amphetamine and methamphetamine:

15 (A) Phenylacetone;

16 Some trade or other names: phenyl-2-propanone; P2P; benzyl  
17 methyl ketone; methyl benzyl ketone;

18 (2) Immediate precursors to phencyclidine (PCP):

19 (A) 1-phenylcyclohexylamine;

20 (B) 1-piperidinocyclohexanecarbonitrile (PCC);

21 (3) Immediate precursor to fentanyl:

22 (A) 4-anilino-N-phenethyl-4-piperidine (ANPP).

23 **§60A-2-208. Schedule III.**

1 (a) Schedule III consists of the drugs and other substances,  
2 by whatever official name, common or usual name, chemical name or  
3 brand name designated, listed in this section.

4 (b) *Stimulants*. -- Unless specifically excepted or unless  
5 listed in another schedule, any material, compound, mixture or  
6 preparation which contains any quantity of the following substances  
7 having a stimulant effect on the central nervous system, including  
8 its salts, isomers (whether optical, position or geometric), and  
9 salts of such isomers whenever the existence of the salts, isomers  
10 and salts of isomers is possible within the specific chemical  
11 designation:

12 (1) Those compounds, mixtures or preparations in dosage unit  
13 form containing any stimulant substances listed in Schedule II  
14 which compounds, mixtures or preparations were listed on August 25,  
15 1971, as excepted compounds under 21 C.F.R §1308.32, and any other  
16 drug of the quantitative composition shown in that list for those  
17 drugs or which is the same except that it contains a lesser  
18 quantity of controlled substances;

19 (2) Benzphetamine;

20 (3) Chlorphentermine;

21 (4) Clortermine;

22 (5) Phendimetrazine.

23 ~~(6) Hydrocodone.~~

1 (c) *Depressants*. -- Unless specifically excepted or unless  
2 listed in another schedule, any material, compound, mixture or  
3 preparation which contains any quantity of the following substances  
4 having a depressant effect on the central nervous system:

5 (1) Any compound, mixture or preparation containing:

6 (A) Amobarbital;

7 (B) Secobarbital;

8 (C) Pentobarbital; or any salt of pentobarbital and one or  
9 more other active medicinal ingredients which are not listed in any  
10 schedule;

11 (2) Any suppository dosage form containing:

12 (A) Amobarbital;

13 (B) Secobarbital;

14 (C) Pentobarbital; or any salt of any of these drugs and  
15 approved by the food and drug administration for marketing only as  
16 a suppository;

17 (3) Any substance which contains any quantity of a derivative  
18 of barbituric acid or any salt of barbituric acid;

19 (4) Aprobarbital;

20 (5) Butabarbital (secbutabarbital);

21 (6) Butalbital;

22 (7) Butobarbital (butethal);

23 ~~(4)~~ (8) Chlorhexadol;

- 1       (9) Embutramide;  
2       (10) Gamma Hydroxybutyric Acid preparations;  
3       (11) Ketamine, its salts, isomers and salts of isomers [Some  
4 o t h e r           n a m e s           f o r           k e t a m i n e :  
5 (+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone];  
6       ~~(5)~~ (12) Lysergic acid;  
7       ~~(6)~~ (13) Lysergic acid amide;  
8       ~~(7)~~ (14) Methyprylon;  
9       ~~(8)~~ (15) Sulfondiethylmethane;  
10      ~~(9)~~ (16) Sulfonethylmethane;  
11      ~~(10)~~ (17) Sulfonmethane;  
12      (18) Thiamylal;  
13      (19) Thiopental;  
14      ~~(11)~~ (20) Tiletamine and zolazepam or any salt of tiletamine  
15 and zolazepam; some trade or other names for a tiletamine-zolazepam  
16 combination product: Telazol; some trade or other names for  
17 tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; some trade  
18 or other names for zolazepam: 4-(2-fluorophenyl)-6, 8-dihydro-1, 3,  
19 8-trimethylpyrazolo-[3,4-e] [1,4]-diazepin-7(1H)-one, flupyrzapon;  
20      ~~(12) Human growth hormones or anabolic steroids.~~  
21      ~~Ketamine, its salts, isomers and salts of isomers, including~~  
22 ~~ketamine hydrochloride.~~  
23      (21) Vinbarbital.

1 (d) Nalorphine.

2 (e) *Narcotic drugs*. -- Unless specifically excepted or unless  
3 listed in another schedule:

4 (1) Any material, compound, mixture or preparation containing  
5 any of the following narcotic drugs, or their salts calculated as  
6 the free anhydrous base or alkaloid, in limited quantities as set  
7 forth below:

8 ~~(1)~~ (A) Not more than 1.8 grams of codeine per 100 milliliters  
9 and not more than 90 milligrams per dosage unit, with an equal or  
10 greater quantity of an isoquinoline alkaloid of opium;

11 ~~(2)~~ (B) Not more than 1.8 grams of codeine per 100 milliliters  
12 or not more than 90 milligrams per dosage unit, with one or more  
13 active, nonnarcotic ingredients in recognized therapeutic amounts;

14 ~~(3)~~ (C) Not more than 300 milligrams of dihydrocodeinone  
15 (hydrocodone) per 100 milliliters or not more than 15 milligrams  
16 per dosage unit, with a fourfold or greater quantity of an  
17 isoquinoline alkaloid of opium;

18 ~~(4)~~ (D) Not more than 300 milligrams of dihydrocodeinone  
19 (hydrocodone) per 100 milliliters or not more than 15 milligrams  
20 per dosage unit, with one or more active, nonnarcotic ingredients  
21 in recognized therapeutic amounts;

22 ~~(5)~~ (E) Not more than 1.8 grams of dihydrocodeine per 100  
23 milliliters and not more than 90 milligrams per dosage unit, with

1 one or more active, nonnarcotic ingredients in recognized  
2 therapeutic amounts;

3 ~~(6)~~ (F) Not more than 300 milligrams of ethylmorphine per 100  
4 milliliters or not more than 15 milligrams per dosage unit, with  
5 one or more active, nonnarcotic ingredients in recognized  
6 therapeutic amounts;

7 ~~(7)~~ (G) Not more than 500 milligrams of opium per 100  
8 milliliters or per 100 grams or not more than 25 milligrams per  
9 dosage unit, with one or more active, nonnarcotic ingredients in  
10 recognized therapeutic amounts;

11 ~~(8)~~ (H) Not more than 50 milligrams of morphine per 100  
12 milliliters or per 100 grams, with one or more active, nonnarcotic  
13 ingredients in recognized therapeutic amounts.

14 (2) Any material, compound, mixture or preparation containing  
15 any of the following narcotic drugs or their salts, as set forth  
16 below:

17 (A) Buprenorphine.

18 (f) *Anabolic steroids.* -- Unless specifically excepted or  
19 unless listed in another schedule, any material, compound, mixture,  
20 or preparation containing any quantity of anabolic steroids,  
21 including its salts, isomers and salts of isomers whenever the  
22 existence of the salts of isomers is possible within the specific  
23 chemical designation.

1        (g) Human Growth Hormones.

2        ~~(g)~~ (h) Dronabinol (synthetic) in sesame oil and encapsulated  
 3 in a soft gelatin capsule in a United States food and drug  
 4 administration approved drug product. (Some other names for  
 5 dronabinol: (6aR-trans)-6a, 7, 8, 10a- tetrahydro-6, 6,  
 6 9-trimethyl-3-pentyl-6H-dibenzo [b,d] pyran-1- ol or  
 7 (-)-delta-9-(trans)-tetrahydrocannabinol).

8 **§60A-2-210. Schedule IV.**

9        (a) Schedule IV shall consist of the drugs and other  
 10 substances, by whatever official name, common or usual name,  
 11 chemical name, or brand name designated, listed in this section.

12        (b) *Narcotic drugs.* Unless specifically excepted or unless  
 13 listed in another schedule, any material, compound, mixture, or  
 14 preparation containing any of the following narcotic drugs, or  
 15 their salts calculated as the free anhydrous base or alkaloid, in  
 16 limited quantities as set forth below:

17        (1) Not more than 1 milligram of difenoxin and not less than  
 18 25 micrograms of atropine sulfate per dosage unit;

19        ( 2 )        D e x t r o p r o p o x y p h e n e  
 20 (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybuta  
 21 ne).

22        (c) *Depressants.* -- Unless specifically excepted or unless  
 23 listed in another schedule, any material, compound, mixture or

1 preparation which contains any quantity of the following  
2 substances, including its salts, isomers and salts of isomers  
3 whenever the existence of such salts, isomers and salts of isomers  
4 is possible within the specific chemical designation:

- 5 (1) Alprazolam;
- 6 (2) Barbitol;
- 7 (3) Bromazepam;
- 8 (4) Camazepam;
- 9 (5) Carisoprodol;
- 10 (6) Chloral betaine;
- 11 (7) Chloral hydrate;
- 12 (8) Chlordiazepoxide;
- 13 (9) Clobazam;
- 14 (10) Clonazepam;
- 15 (11) Clorazepate;
- 16 (12) Clotiazepam;
- 17 (13) Cloxazolam;
- 18 (14) Delorazepam;
- 19 (15) Diazepam;
- 20 (16) Dichloralphenazone;
- 21 ~~(16)~~ (17) Estazolam;
- 22 ~~(17)~~ (18) Ethchlorvynol;
- 23 ~~(18)~~ (19) Ethinamate;

- 1       ~~(19)~~ (20) Ethyl loflazepate;
- 2       ~~(20)~~ (21) Fludiazepam;
- 3       ~~(21)~~ (22) Flunitrazepam;
- 4       ~~(22)~~ (23) Flurazepam;
- 5       (24) Fospropofol;
- 6       ~~(23)~~ (25) Halazepam;
- 7       ~~(24)~~ (26) Haloxazolam;
- 8       ~~(25)~~ (27) Ketazolam;
- 9       ~~(26)~~ (28) Loprazolam;
- 10       ~~(27)~~ (29) Lorazepam;
- 11       ~~(28)~~ (30) Lormetazepam;
- 12       ~~(29)~~ (31) Mebutamate;
- 13       ~~(30)~~ (32) Medazepam;
- 14       ~~(31)~~ (33) Meprobamate;
- 15       ~~(32)~~ (34) Methohexital;
- 16       ~~(33)~~ (35) Methylphenobarbital (mephobarbital);
- 17       ~~(34)~~ (36) Midazolam;
- 18       ~~(35)~~ (37) Nimetazepam;
- 19       ~~(36)~~ (38) Nitrazepam;
- 20       ~~(37)~~ (39) Nordiazepam;
- 21       ~~(38)~~ (40) Oxazepam;
- 22       ~~(39)~~ (41) Oxazolam;
- 23       ~~(40)~~ (42) Paraldehyde;

1       ~~(41)~~ (43) Petrichloral;  
2       ~~(42)~~ (44) Phenobarbital;  
3       ~~(43)~~ (45) Pinazepam;  
4       ~~(44)~~ (46) Prazepam;  
5       ~~(45)~~ (47) Quazepam;  
6       ~~(46)~~ (48) Temazepam;  
7       ~~(47)~~ (49) Tetrazepam;  
8       ~~(48)~~ (50) Triazolam;  
9       (51) Zaleplon;  
10       ~~(49)~~ (52) Zolpidem;  
11       (53) Zopiclone.

12       (d) *Fenfluramine*. -- Any material, compound, mixture or  
13 preparation which contains any quantity of the following substance,  
14 including its salts, isomers (whether optical, position or  
15 geometric) and salts of such isomers whenever the existence of such  
16 salts, isomers and salts of isomers is possible: Fenfluramine,  
17 Dexfenfluramine.

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

23       (1) Cathine ((+)-norpseudoephedrine);

1       (2) Diethylpropion;  
2       (3) Fencamfamin;  
3       (4) Fenproporex;  
4       (5) Mazindol;  
5       (6) Mefenorex;  
6       (7) Modafinil;  
7       ~~(7)~~ (8) Pemoline (including organometallic complexes and  
8 chelates thereof);  
9       ~~(8)~~ (9) Phentermine;  
10      ~~(9)~~ (10) Pipradrol;  
11      (11) Sibutramine;  
12      ~~(10)~~ (12) SPA ((-)-1-dimethylamino-1,2-diphenylethane).  
13      (f) *Other substances.* -- Unless specifically excepted or  
14 unless listed in another schedule, any material, compound, mixture  
15 or preparation which contains any quantity of the following  
16 substances, including its salts:  
17      (1) Pentazocine;  
18      (2) Butorphanol.  
19      Amyl nitrite, butyl nitrite, isobutyl nitrite and the other  
20 organic nitrites are controlled substances and no product  
21 containing these compounds as a significant component shall be  
22 possessed, bought or sold other than pursuant to a bona fide  
23 prescription or for industrial or manufacturing purposes.

1 **§60A-2-212. Schedule V.**

2 (a) Schedule V shall consist of the drugs and other  
3 substances, by whatever official name, common or usual name,  
4 chemical name, or brand name designated, listed in this section.

5 ~~(b) Narcotic drugs. -- Unless specifically excepted or unless~~  
6 ~~listed in another schedule, any material, compound, mixture or~~  
7 ~~preparation containing any of the following narcotic drugs and~~  
8 ~~their salts, as set forth below:~~

9 ~~(1) Buprenorphine.~~

10 ~~(c) (b) Narcotic drugs containing nonnarcotic active medicinal~~  
11 ~~ingredients. Any compound, mixture or preparation containing any~~  
12 ~~of the following narcotic drugs or their salts calculated as the~~  
13 ~~free anhydrous base or alkaloid in limited quantities as set forth~~  
14 ~~below, which shall include one or more nonnarcotic active medicinal~~  
15 ~~ingredients in sufficient proportion to confer upon the compound,~~  
16 ~~mixture or preparation valuable medicinal qualities other than~~  
17 ~~those possessed by the narcotic drug alone:~~

18 (1) Not more than 200 milligrams of codeine per 100  
19 milliliters or per 100 grams;

20 (2) Not more than 100 milligrams of dihydrocodeine per 100  
21 milliliters or per 100 grams;

22 (3) Not more than 100 milligrams of ethylmorphine per 100  
23 milliliters or per 100 grams;

1 (4) Not more than 2.5 milligrams of diphenoxylate and not less  
2 than 25 micrograms of atropine sulfate per dosage unit;

3 (5) Not more than 100 milligrams of opium per 100 milliliters  
4 or per 100 grams;

5 (6) Not more than 0.5 milligrams of difenoxin and not less  
6 than 25 micrograms of atropine sulfate per dosage unit.

7 ~~(d)~~ (c) *Stimulants.* -- Unless specifically exempted or  
8 excluded or unless listed in another schedule, any material,  
9 compound, mixture or preparation which contains any quantity of the  
10 following substances having a stimulant effect on the central  
11 nervous system, including its salts, isomers and salts of isomers:

12 (1) Pyrovalerone.

13 ~~(e)~~ (d) Any compound, mixture or preparation containing as its  
14 single active ingredient ephedrine, pseudoephedrine or  
15 phenylpropanolamine, their salts or optical isomers, or salts of  
16 optical isomers except products which are for pediatric use  
17 primarily intended for administration to children under the age of  
18 twelve: *Provided,* That neither the offenses set forth in section  
19 four hundred one, article four of this chapter, nor the penalties  
20 therein, shall be applicable to ephedrine, pseudoephedrine or  
21 phenylpropanolamine which shall be subject to the provisions of  
22 article ten of this chapter.

23 (e) *Depressants.* -- Unless specifically exempted or excluded

