

1 **COMMITTEE SUBSTITUTE**

2 **for**

3 **H. B. 4208**

4 (By Delegates Fleischauer, Barill,
5 Marshall, Barker, Perdue, Kinsey, Ellem,
6 Pasdon, Hunt, Marcum and Border)

7 (Originating in the Committee on the Judiciary)

8 [February 7, 2014]

9
10 A BILL to amend and reenact §60A-1-101 of the Code of West
11 Virginia, 1931, as amended, and to amend and reenact
12 §60A-2-204; §60A-2-206, §60A-2-208, §60A-2-210 and §60A-2-212
13 of said code, all relating to amending the lists of scheduled
14 drugs and controlling synthetic drugs.

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

16 That §60A-1-101; §60A-2-204; §60A-2-206; §60A-2-208; §60A-2-
17 210 and §60A-2-212 of the Code of West Virginia, 1931, as amended,
18 be amended and reenacted, all to read as follows:

19 **ARTICLE 1. DEFINITIONS.**

20 **§60A-1-101. Definitions.**

21 As used in this act:

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

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

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

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

9 (c) "Analogue" means a substance that, in relation to a
10 controlled substance, has a substantially similar chemical
11 structure.

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

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

17 (f) "Counterfeit substance" means a controlled substance
18 which, or the container or labeling of which, without
19 authorization, bears the trademark, trade name or other identifying
20 mark, imprint, number or device, or any likeness thereof, of a
21 manufacturer, distributor or dispenser other than the person who in
22 fact manufactured, distributed or dispensed the substance.

23 (g) "Imitation controlled substance" means: (1) A controlled
24 substance which is falsely represented to be a different controlled

1 substance; (2) a drug or substance which is not a controlled
2 substance but which is falsely represented to be a controlled
3 substance; or (3) a controlled substance or other drug or substance
4 or a combination thereof which is shaped, sized, colored, marked,
5 imprinted, numbered, labeled, packaged, distributed or priced so as
6 to cause a reasonable person to believe that it is a controlled
7 substance.

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

12 (i) "Dispense" means to deliver a controlled substance to an
13 ultimate user or research subject by or pursuant to the lawful
14 order of a practitioner, including the prescribing, administering,
15 packaging, labeling or compounding necessary to prepare the
16 substance for that delivery.

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

18 (k) "Distribute" means to deliver, other than by administering
19 or dispensing, a controlled substance, a counterfeit substance or
20 an imitation controlled substance.

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

22 (m) "Drug" means: (1) Substances recognized as drugs in the
23 official "United States Pharmacopoeia, official Homeopathic
24 Pharmacopoeia of the United States or official National Formulary",

1 or any supplement to any of them; (2) substances intended for use
2 in the diagnosis, cure, mitigation, treatment or prevention of
3 disease in man or animals; (3) substances (other than food)
4 intended to affect the structure or any function of the body of man
5 or animals; and (4) substances intended for use as a component of
6 any article specified in ~~clause~~ paragraph (1), (2) or (3) of this
7 subdivision. It does not include devices or their components,
8 parts or accessories.

9 (n) "Immediate derivative" means a substance which ~~the "West~~
10 ~~Virginia Board of Pharmacy" has found to be and by rule designates~~
11 ~~as being~~ is the principal compound or any analogue of the parent
12 compound manufactured from a known controlled substance primarily
13 for use and which has equal or similar pharmacologic activity as
14 the parent compound which is necessary to prevent, curtail or limit
15 manufacture.

16 (o) "Immediate precursor" means a substance which ~~the "West~~
17 ~~Virginia Board of Pharmacy" (hereinafter in this act referred to as~~
18 ~~the State Board of Pharmacy) has found to be and by rule designates~~
19 ~~as being~~ is the principal compound commonly used or produced
20 primarily for use and which is an immediate chemical intermediary
21 used or likely to be used in the manufacture of a controlled
22 substance, the control of which is necessary to prevent, curtail or
23 limit manufacture.

24 (p) "Manufacture" means the production, preparation,

1 propagation, compounding, conversion or processing of a controlled
2 substance, either directly or indirectly or by extraction from
3 substances of natural origin, or independently by means of chemical
4 synthesis, or by a combination of extraction and chemical
5 synthesis, and includes any packaging or repackaging of the
6 substance or labeling or relabeling of its container, except that
7 this term does not include the preparation, compounding, packaging
8 or labeling of a controlled substance:

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

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

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

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

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

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

11 (3) Opium poppy and poppy straw.

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

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

1 does not include its racemic and levorotatory forms.

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

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

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

1 (z) "State", when applied to a part of the United States,
2 includes any state, district, commonwealth, territory, insular
3 possession thereof and any area subject to the legal authority of
4 the United States of America.

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

9 **ARTICLE 2. STANDARDS AND SCHEDULES.**

10 **§60A-2-204. Schedule I.**

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

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

21 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)
22 -4-piperidinyl]-N-phenylacetamide);

23 (2) Acetylmethadol;

24 (3) Allylprodine;

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

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

- 1 (43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
2 (44) Phenadoxone;
3 (45) Phenampromide;
4 (46) Phenomorphan;
5 (47) Phenoperidine;
6 (48) Piritramide;
7 (49) Proheptazine;
8 (50) Properidine;
9 (51) Propiram;
10 (52) Racemoramide;
11 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
12 piperidinyl]-propanamide);
13 (54) Tilidine;
14 (55) Trimeperidine.

15 (c) *Opium derivatives.* -- Unless specifically excepted or
16 unless listed in another schedule, any of the following opium
17 immediate derivatives, its salts, isomers and salts of isomers
18 whenever the existence of such salts, isomers and salts of isomers
19 is possible within the specific chemical designation:

- 20 (1) Acetorphine;
21 (2) Acetyldihydrocodeine;
22 (3) Benzylmorphine;
23 (4) Codeine methylbromide;
24 (5) Codeine-N-Oxide;

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

19 (d) *Hallucinogenic substances.* -- Unless specifically
20 excepted or unless listed in another schedule, any material,
21 compound, mixture or preparation, which contains any quantity of
22 the following hallucinogenic substances, or which contains any of
23 its salts, isomers and salts of isomers, whenever the existence of
24 such salts, isomers, and salts of isomers is possible within the

1 specific chemical designation (for purposes of this subsection
2 only, the term "isomer" includes the optical, position and
3 geometric isomers):

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

7 (2) 4-bromo-2, 5-dimethoxy-amphetamine; some trade or other
8 names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-
9 2,5-DMA;

10 (3) 4-Bromo-2,5-dimethoxyphenethylamine; some trade or other
11 names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-
12 desmethyl DOB; 2C-B, Nexus;

13 (4) 2,5-dimethoxyamphetamine; some trade or other names:
14 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA;

15 (5) 2,5-dimethoxy-4-ethylamphet-amine; some trade or other
16 names: DOET;

17 (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name:
18 2C-T-7);

19 ~~(6)~~ (7) 4-methoxyamphetamine; some trade or other names:
20 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA;

21 ~~(7)~~ (8) ~~5-methoxy-3-~~ 5-methoxy-3,
22 4-methylenedioxy-amphetamine;

23 ~~(8)~~ (9) 4-methyl-2,5-dimethoxy-amphetamine; some trade and
24 other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine;

1 "DOM"; and "STP";

2 ~~(9)~~ (10) 3,4-methylenedioxy amphetamine;

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

4 ~~(11)~~ (12) 3,4-methylenedioxy-N-ethylamphetamine (also known

5 as N- ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine,

6 N-ethyl MDA, MDE, MDEA);

7 ~~(12)~~ (13) N-hydroxy-3,4-methylenedioxyamphetamine (also known

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

9 N- hydroxy MDA);

10 ~~(13)~~ (14) 3,4,5-trimethoxy amphetamine;

11 (15) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);

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

13 ~~(14)~~ (17) Bufotenine; some trade and other names:

14 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoeth

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

16 dimethyltryptamine; mappine;

17 ~~(15)~~ (18) Diethyltryptamine; some trade and other

18 names: N, N-Diethyltryptamine; DET;

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

20 DMT;

21 (20) 5-Methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);

22 ~~(17)~~ (21) Ibogaine; some trade and other names: 7-Ethyl-6,

23 6 Beta, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-

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

1 ~~(18)~~ (22) Lysergic acid diethylamide;

2 ~~(19)~~ (23) Marihuana;

3 ~~(20)~~ (24) Mescaline;

4 ~~(21)~~ (25) Parahexyl-7374; some trade or other names:

5 3-Hexyl -1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6,

6 9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl;

7 ~~(22)~~ (26) Peyote; meaning all parts of the plant presently

8 classified botanically as *Lophophora williamsii* Lemaire, whether

9 growing or not, the seeds thereof, any extract from any part of

10 such plant, and every compound, manufacture, salts, immediate

11 derivative, mixture or preparation of such plant, its seeds or

12 extracts;

13 ~~(23)~~ (27) N-ethyl-3-piperidyl benzilate;

14 ~~(24)~~ (28) N-methyl-3-piperidyl benzilate;

15 ~~(25)~~ (29) Psilocybin;

16 ~~(26)~~ (30) Psilocyn;

17 ~~(27)~~ (31) Tetrahydrocannabinols; synthetic equivalents of the

18 substances contained in the plant, or in the resinous extractives

19 of *Cannabis*, sp. and/or synthetic substances, immediate derivatives

20 and their isomers with similar chemical structure and

21 pharmacological activity such as the following:

22 delta-1 Cis or trans tetrahydrocannabinol, and their optical

23 isomers;

24 delta-6 Cis or trans tetrahydrocannabinol, and their optical

1 isomers;

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

4 (Since nomenclature of these substances is not internationally
5 standardized, compounds of these structures, regardless of
6 numerical designation of atomic positions covered.)

7 ~~(28)~~ (32) Ethylamine analog of phencyclidine; some trade or
8 other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)
9 ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

10 ~~(29)~~ (33) Pyrrolidine analog of phencyclidine; some trade or
11 other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

12 ~~(30)~~ (34) Thiophene analog of phencyclidine; some trade or
13 other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine,
14 2-thienyl analog of phencyclidine; TPCP, TCP;

15 ~~(31)~~ (35) 1[1-(2-thienyl)cyclohexyl]pyrrolidine; some other
16 names: TCPy.

17 (36) 4-methylmethcathinone (Mephedrone);

18 (37) 3,4-methylenedioxypyrovalerone (MDPV);

19 (38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);

20 (39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D)

21 (40) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C)

22 (41) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I)

23 (42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2)

24 (43) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine

1 (2C-T-4)
2 (44) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H)
3 (45) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N)
4 (46) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P)
5 (47) 3,4-Methylenedioxy-N-methylcathinone (Methylone)
6 (48) (2,5-dimethoxy-4-(n)-propyltghiofenethylamine (2C-T-7,
7 itsoptical isomers, salts and salts of isomers
8 (49) 5-methoxy-N,N-dimethyltryptamine some trade or other
9 names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole;
10 5-MeO-DMT (5-MeO-DMT)
11 (50) Alpha-methyltryptamine (other name: AMT)
12 (51) 5-methoxy-N,N-diisopropyltryptamine (other name:
13 5-MeO-DIPT)
14 (52) Synthetic Cannabinoids as follows:
15 (A) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-
16 (2-methyloctan-2-yl)phenol) {also known as CP 47,497 and
17 homologues};
18 (B) rel-2-[(1S,3R)-3-hydroxycyclohexyl]
19 -5-(2-methylnonan-2-yl)phenol {also known as CP 47,497-C8 homolog};
20 (C) [(6aR)-9-(hydroxymethyl)-6,
21 6-dimethyl-3-(2-methyloctan-2-yl)-6a,
22 7,10,10a-tetrahydrobenzo[c]chromen-1-ol)] {also known as HU-210};
23 (D) (dexanabinol,
24 (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-

1 6a,7,10,10a-tetrahydrobenzol[c]chromen-1-ol) {also known as
2 HU-211};

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

4 (F) 1-Butyl-3-(1-naphthoyl)indole {also known as JWH-073};

5 (G) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone
6 {also known as JWH-015};

7 (H) (1-hexyl-1H-indol-3-yl)-1-naphthalenyl-methanone {also
8 known as JWH-019};

9 (I) [1-[2-(4-morpholinyl)ethyl]
10 -1H-indol-3-yl]-1-naphthalenyl-methanone {also known as JWH-200};

11 (J) 1-(1-pentyl-1H-indol-3-yl)-2-(3-hydroxyphenyl)-ethanone
12 {also known as JWH-250};

13 (K) 2-((1S,2S,5S)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl)
14 -5-(2-methyloctan-2-yl)phenol {also known as CP 55,940};

15 (L) (4-methyl-1-naphthalenyl) (1-pentyl-1H-indol-3-yl)
16 -methanone {also known as JWH-122};

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

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

21 (O) 1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)
22 -2-(2-methoxyphenyl) ethanone {also known as RCS-8}; ~~and~~

23 (P) 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-081)

24 (Q) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201)

1 (R) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694)

2 ~~(Since nomenclature of these substances is not internationally~~
3 ~~standardized, any immediate precursor or immediate derivative of~~
4 ~~these substances shall be covered).~~

5 (53) Synthetic cannabinoids or any material, compound, mixture
6 or preparation which contains any quantity of the following
7 substances, including their analogues, congeners, homologues,
8 isomers, salts and salts of analogues, congeners, homologues and
9 isomers, as follows:

10 (A) CP 47,497 AND homologues, 2-[(1R,3S)-3-
11 Hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol).

12 (B) H U - 2 1 0 ,
13 [(6AR,10AR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-Methyloctan-2-yl)
14 -6A,7,10,10A-tetrahydrobenzo[C]chromen-1-OL)].

15 (C) HU-211, (dexanabinol, (6AS,10AS)-9-(hydroxymethyl)-6,6-
16 Dimethyl-3-(2-methyloctan-2-yl)-6A,7,10,10A tetrahydrobenzo[
17 C]chromen-1-OL).

18 (D) JWH-018, 1-pentyl-3-(1-naphthoyl)indole.

19 (E) JWH-019, 1-hexyl-3-(1-naphthoyl)indole.

20 (F) JWH-073, 1-butyl-3-(1-naphthoyl)indole.

21 (G) JWH-200, (1-(2-morpholin-4-ylethyl)indol-3-yl)-
22 Naphthalen-1-ylmethanone.

23 (H) JWH-250, 1-pentyl-3-(2-methoxyphenylacetyl)indole.]

24 (54) Synthetic cannabinoids including any material, compound,

1 mixture or preparation that is not listed as a controlled substance
2 in Schedule I through V, is not a federal Food and Drug
3 Administration approved drug or used within legitimate and approved
4 medical research and which contains any quantity of the following
5 substances, their salts, isomers, whether optical positional or
6 geometric, analogues, homologues and salts of isomers, analogues
7 and homologues, unless specifically exempted, whenever the
8 existence of these salts, isomers, analogues, homologues and salts
9 of isomers, analogues and homologues if possible within the
10 specific chemical designation:

11 (A) Tetrahydrocannabinols meaning tetrahydrocannabinols which
12 are naturally contained in a plant of the genus cannabis as well as
13 synthetic equivalents of the substances contained in the plant or
14 in the resinous extractives of cannabis or synthetic substances,
15 derivatives and their isomers with analogous chemical structure and
16 or pharmacological activity such as the following:

17 (i) DELTA-1 CIS OR trans tetrahydrocannabinol and their
18 Optical isomers.

19 (ii) DELTA-6 CIS OR trans tetrahydrocannabinol and their
20 optical isomers.

21 (iii) DELTA-3,4 CIS or their trans tetrahydrocannabinol and
22 Their optical isomers.

23 (B) Naphthoylindoles or any compound containing a 3-(-1-
24 Napthoyl) indole structure with substitution at the nitrogen atom

1 of the indole ring whether or not further substituted in the indole
2 ring to any extent and whether or not substituted in the naphthyl
3 ring to any extent. This shall include the following:

4 (i) JWH 015.

5 (ii) JWH 018.

6 (iii) JWH 019.

7 (iv) JWH 073.

8 (v) JWH 081.

9 (vi) JWH 122.

10 (vii) JWH 200.

11 (viii) JWH 210.

12 (ix) JWH 398.

13 (x) AM 2201.

14 (xi) WIN 55,212.

15 (55) Naphylmethyloindoles or any compound containing a
16 1-indol-3-yl-(1-naphthyl) methane structure with a substitution at
17 the nitrogen atom of the indole ring whether or not further
18 substituted in the indole ring to any extent and whether or not
19 substituted in the naphthyl ring to any extent. This shall include
20 but not limited to JWH 175 and JWH 184.

21 (56) Naphthoylpyrroles or any compound containing a 3-(1-
22 Naphthoyl) pyrrole structure with substitution at the nitrogen atom
23 of the pyrrole ring whether or not further substituted in the
24 pyrrole ring to any extent and whether or not substituted in the

1 naphthyl ring to any extent. This shall include but not limited to
2 JWH 147 and JWH 307.

3 (57) Naphthylmethylenes or any compound containing a
4 Naphthylideneindene structure with substitution at the 3- Position
5 of the indene ring whether or not further substituted in the indene
6 ring to any extent and whether or not substituted in the naphthyl
7 ring to any extent. This shall include but not limited to JWH 176.

8 (58) Phenylacetylindoles or any compound containing a 3-
9 Phenylacetylindole structure with substitution at the nitrogen atom
10 of the indole ring whether or not further substituted in the indole
11 ring to any extent and whether or not substituted in the phenyl
12 ring to any extent. This shall include the following:

13 (A) RCS-8, SR-18 OR BTM-8.

14 (B) JWH 250.

15 (C) JWH 203.

16 (D) JWH 251.

17 (E) JWH 302.

18 (59) Cyclohexylphenols or any compound containing a 2-(3-
19 hydroxycyclohexyl) phenol structure with a substitution at the
20 5-position of the phenolic ring whether or not substituted in the
21 cyclohexyl ring to any extent. This shall include the following:

22 (A) CP 47,497 and its homologues and analogs.

23 (B) Cannabicyclohexanol.

24 (C) CP 55,940.

1 (60) Benzoylindoles or any compound containing a 3-(benzoyl)
2 indole structure with substitution at the nitrogen atom of the
3 indole ring whether or not further substituted in the indole ring
4 to any extent and whether or not substituted in the phenyl ring to
5 any extent. This shall include the following:

6 (A) AM 694.

7 (B) Pravadoline WIN 48,098.

8 (C) RCS 4.

9 (D) AM 679.

10 (61) [2,3-dihydro-5 methyl-3-(4-morpholinylmethyl)pyrrolo
11 [1,2,3-DE]-1, 4-benzoxazin-6-YL]-1-naphthalenymethanone. This shall
12 include WIN 55,212-2.

13 (62) Dibenzopyrans or any compound containing a
14 11-hydroxydelta 8-tetrahydrocannabinol structure with substitution
15 on the 3-pentyl group. This shall include HU-210, HU-211, JWH 051
16 and JWH 133.

17 (63) Adamantoylindoles or any compound containing a 3-(-1-
18 Adamantoyl) indole structure with substitution at the nitrogen atom
19 of the indole ring whether or not further substituted in the
20 adamantoyl ring system to any extent. This shall include AM1248.

21 (64) Tetramethylcyclopropylindoles or any compound containing
22 A 3-tetramethylcyclopropylindole structure with substitution at the
23 nitrogen atom of the indole ring whether or not further substituted
24 in the indole ring to any extent and whether or not substituted in

1 the tetramethylcyclopropyl ring to any extent. This shall include
2 UR-144 and XLR-11.

3 (65) N-(1-Adamantyl)-1-pentyl-1h-indazole-3-carboxamide. This
4 shall include AKB48.

5 (66) Any other synthetic chemical compound that is a
6 Cannabinoid receptor type 1 agonist as demonstrated by binding
7 studies and functional assays that is not listed in schedules II,
8 III, IV AND V, not federal Food and Drug Administration approved
9 drug or used within legitimate, approved medical research.

10 (J) Since nomenclature of these substances is not
11 internationally standardized, any immediate precursor or immediate
12 derivative of these substances shall be covered.

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

20 (1) Mecloqualone;

21 (2) Methaqualone.

22 (f) *Stimulants.* Unless specifically excepted or unless listed
23 in another schedule, any material, compound, mixture, or
24 preparation which contains any quantity of the following substances

1 having a stimulant effect on the central nervous system, including
2 its salts, isomers, and salts of isomers:

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

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

8 (3) Fenethylamine;

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

18 (5) (+-) cis-4-methylaminorex; ((-) cis-4,5-dihydro-4-methyl-
19 5-phenyl-2-oxazolamine);

20 (6) N-ethylamphetamine;

21 (7) N,N-dimethylamphetamine; also known as N,N-alpha-
22 trimethylbenzeneethanamine; N,N-alpha-trimethylphenethylamine.

23 (g) Temporary listing of substances subject to emergency
24 scheduling. Any material, compound, mixture or preparation which

1 contains any quantity of the following substances:

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

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

6 ~~(8)~~ (3) N-benzylpiperazine, also known as BZP.

7 (h) The following controlled substances are included in
8 Schedule I.

9 (1) Synthetic Cathinones or any compound, except bupropion or
10 compounds listed under a different schedule, or compounds used
11 within legitimate and approved medical research, structurally
12 derived from 2- Aminopropan-1-one by substitution at the 1-position
13 with Monocyclic or fused polycyclic ring systems, whether or not
14 the compound is further modified in any of the following ways:

15 (A) By substitution in the ring system to any extent with
16 Alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl or halide
17 Substituents whether or not further substituted in the ring system
18 by one or more other univalent substituents.

19 (B) By substitution at the 3-position with an acyclic alkyl
20 substituent.

21 (C) By substitution at the 2-amino nitrogen atom with alkyl,
22 dialkyl, benzyl or methoxybenzyl groups.

23 (D) By inclusion of the 2-amino nitrogen atom in a cyclic
24 structure.

1 (2) Any other synthetic chemical compound that is a
2 Cannabinoid receptor type 1 agonist as demonstrated by binding
3 studies and functional assays that is not listed in schedules
4 II, III, IV AND V, not federal Food and Drug Administration
5 approved drug or used within legitimate, approved medical
6 research.

7 **§60A-2-206. Schedule II.**

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

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

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

22 (A) Raw opium;

23 (B) Opium extracts;

24 (C) Opium fluid;

- 1 (D) Powdered opium;
2 (E) Granulated opium;
3 (F) Tincture of opium;
4 (G) Codeine;
5 (H) Dihydroetorphine;
6 ~~(H)~~ (I) Ethylmorphine;
7 ~~(I)~~ (J) Etorphine hydrochloride;
8 ~~(J)~~ (K) Hydrocodone;
9 ~~(K)~~ (L) Hydromorphone;
10 ~~(L)~~ (M) Metopon;
11 ~~(M)~~ (N) Morphine;
12 (O) Oripavine;
13 ~~(N)~~ (P) Oxycodone;
14 ~~(O)~~ (Q) Oxymorphone;
15 ~~(P)~~ (R) Thebaine.

16 (2) Any salt, compound, derivative or preparation thereof
17 which is chemically equivalent or identical with any of the
18 substances referred to in subdivision (1) of this subsection,
19 except that these substances shall not include the isoquinoline
20 alkaloids of opium;

21 (3) Opium poppy and poppy straw;

22 (4) Coca leaves and any salt, compound, derivative or
23 preparation of coca leaves (including cocaine and ecgonine and
24 their salts, isomers, derivatives and salts of isomers and

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

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

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

15 (1) Alfentanil;

16 (2) Alphaprodine;

17 (3) Anileridine;

18 (4) Bezitramide;

19 (5) Bulk dextropropoxyphene (nondosage forms);

20 (6) Carfentanil;

21 (7) Dihydrocodeine;

22 (8) Diphenoxylate;

23 (9) Fentanyl;

24 (10) Isomethadone;

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

1 (d) *Stimulants*. -- 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 stimulant effect on the central nervous system:

5 (1) Amphetamine, its salts, optical isomers and salts of its
6 optical isomers;

7 (2) Methamphetamine, its salts, isomers and salts of its
8 isomers;

9 (3) Methylphenidate;

10 (4) Phenmetrazine and its salts.

11 (5) Lisdexamfetamine.

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) Amobarbital;

20 (2) Glutethimide;

21 (3) Pentobarbital;

22 (4) Phencyclidine;

23 (5) Secobarbital.

24 (f) *Hallucinogenic substances*:

1 Nabilone: [Another name for nabilone: (+-)-trans-3-(1,
2 1-dimethylheptyl)-6, 6a, 7, 8, 10, 10a-hexahydro-1-hydroxy-6,
3 6-dimethyl-9H-dibenzo [b,d] pyran-9-one].

4 (g) *Immediate precursors.* -- Unless specifically excepted or
5 unless listed in another schedule, any material, compound, mixture,
6 or preparation which contains any quantity of the following
7 substances:

8 (1) Immediate precursor to amphetamine and methamphetamine:

9 (A) Phenylacetone;

10 Some trade or other names: phenyl-2-propanone; P2P; benzyl
11 methyl ketone; methyl benzyl ketone;

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

13 (A) 1-phenylcyclohexylamine;

14 (B) 1-piperidinocyclohexanecarbonitrile (PCC).

15 (3) Immediate precursor to fentanyl:

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

17 **§60A-2-208. Schedule III.**

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

21 (b) *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

1 its salts, isomers (whether optical, position or geometric), and
2 salts of such isomers whenever the existence of the salts, isomers
3 and salts of isomers is possible within the specific chemical
4 designation:

5 (1) Those compounds, mixtures or preparations in dosage unit
6 form containing any stimulant substances listed in Schedule II
7 which compounds, mixtures or preparations were listed on August 25,
8 1971, as excepted compounds under 21 C.F.R §1308.32, and any other
9 drug of the quantitative composition shown in that list for those
10 drugs or which is the same except that it contains a lesser
11 quantity of controlled substances;

12 (2) Benzphetamine;

13 (3) Chlorphentermine;

14 (4) Clortermine;

15 (5) Phendimetrazine.

16 (6) Hydrocodone.

17 (c) *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:

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

22 (A) Amobarbital;

23 (B) Secobarbital;

24 (C) Pentobarbital; or any salt of pentobarbital and one or

1 more other active medicinal ingredients which are not listed in any
2 schedule;

3 (2) Any suppository dosage form containing:

4 (A) Amobarbital;

5 (B) Secobarbital;

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

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

11 (4) Aprobarbital;

12 (5) Butabarbital (secbutabarbital);

13 (6) Butalbital (including, but not limited to, Fioricet);

14 (7) Butobarbital (butethal);

15 ~~(4)~~ (8) Chlorhexadol;

16 (9) Embutramide;

17 (10) Gamma Hydroxybutyric Acid preparations;

18 (11) Ketamine, its salts, isomers and salts of isomers [Some

19 o t h e r n a m e s f o r k e t a m i n e :

20 (+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone];

21 ~~(5)~~ (12) Lysergic acid;

22 ~~(6)~~ (13) Lysergic acid amide;

23 ~~(7)~~ (14) Methyprylon;

24 ~~(8)~~ (15) Sulfondiethylmethane;

1 ~~(9)~~ (16) Sulfonethylmethane;

2 ~~(10)~~ (17) Sulfonmethane;

3 (18) Thiamylal;

4 (19) Thiopental;

5 ~~(11)~~ (20) Tiletamine and zolazepam or any salt of tiletamine
6 and zolazepam; some trade or other names for a tiletamine-zolazepam
7 combination product: Telazol; some trade or other names for
8 tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; some trade
9 or other names for zolazepam: 4-(2-fluorophenyl)-6, 8-dihydro-1, 3,
10 8-trimethylpyrazolo-[3,4-e] [1,4]-diazepin-7(1H)-one, flupyrzapon;

11 ~~(12)~~ ~~Human growth hormones or anabolic steroids.~~

12 ~~Ketamine, its salts, isomers and salts of isomers, including~~
13 ~~ketamine hydrochloride.~~

14 (21) Vinbarbital.

15 (d) Nalorphine.

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

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

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

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

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

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

12 ~~(5)~~ (E) Not more than 1.8 grams of dihydrocodeine per 100
13 milliliters and not more than 90 milligrams per dosage unit, with
14 one or more active, nonnarcotic ingredients in recognized
15 therapeutic amounts;

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

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

24 ~~(8)~~ (H) Not more than 50 milligrams of morphine per 100

1 milliliters or per 100 grams, with one or more active, nonnarcotic
2 ingredients in recognized therapeutic amounts.

3 (2) Any material, compound, mixture or preparation containing
4 buprenorphine or its salts (including, but not limited to,
5 Suboxone).

6 (f) *Anabolic steroids.* -- Unless specifically excepted or
7 unless listed in another schedule, any material, compound, mixture,
8 or preparation containing any quantity of anabolic steroids,
9 including its salts, isomers and salts of isomers whenever the
10 existence of the salts of isomers is possible within the specific
11 chemical designation.

12 (g) Human Growth Hormones.

13 ~~(g)~~ (h) Dronabinol (synthetic) in sesame oil and encapsulated
14 in a soft gelatin capsule in a United States food and drug
15 administration approved drug product. (Some other names for
16 dronabinol: (6aR-trans)-6a, 7, 8, 10a- tetrahydro-6, 6,
17 9-trimethyl-3-pentyl-6H-dibenzo [b,d] pyran-1- ol or
18 (-)-delta-9-(trans)-tetrahydrocannabinol).

19 **§60A-2-210. Schedule IV.**

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

23 (b) *Narcotic drugs.* Unless specifically excepted or unless
24 listed in another schedule, any material, compound, mixture, or

1 preparation containing any of the following narcotic drugs, or
2 their salts calculated as the free anhydrous base or alkaloid, in
3 limited quantities as set forth below:

4 (1) Not more than 1 milligram of difenoxin and not less than
5 25 micrograms of atropine sulfate per dosage unit;

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

9 (c) *Depressants*. -- Unless specifically excepted or unless
10 listed in another schedule, any material, compound, mixture or
11 preparation which contains any quantity of the following
12 substances, including its salts, isomers and salts of isomers
13 whenever the existence of such salts, isomers and salts of isomers
14 is possible within the specific chemical designation:

15 (1) Alprazolam;

16 (2) Barbital;

17 (3) Bromazepam;

18 (4) Camazepam;

19 (5) Carisoprodol;

20 (6) Chloral betaine;

21 (7) Chloral hydrate;

22 (8) Chlordiazepoxide;

23 (9) Clobazam;

24 (10) Clonazepam;

- 1 (11) Clorazepate;
- 2 (12) Clotiazepam;
- 3 (13) Cloxazolam;
- 4 (14) Delorazepam;
- 5 (15) Diazepam;
- 6 (16) Dichloralphenazone;
- 7 ~~(16)~~ (17) Estazolam;
- 8 ~~(17)~~ (18) Ethchlorvynol;
- 9 ~~(18)~~ (19) Ethinamate;
- 10 ~~(19)~~ (20) Ethyl loflazepate;
- 11 ~~(20)~~ (21) Fludiazepam;
- 12 ~~(21)~~ (22) Flunitrazepam;
- 13 ~~(22)~~ (23) Flurazepam;
- 14 (24) Fospropofol;
- 15 ~~(23)~~ (25) Halazepam;
- 16 ~~(24)~~ (26) Haloxazolam;
- 17 ~~(25)~~ (27) Ketazolam;
- 18 ~~(26)~~ (28) Loprazolam;
- 19 ~~(27)~~ (29) Lorazepam;
- 20 ~~(28)~~ (30) Lormetazepam;
- 21 ~~(29)~~ (31) Mebutamate;
- 22 ~~(30)~~ (32) Medazepam;
- 23 ~~(31)~~ (33) Meprobamate;
- 24 ~~(32)~~ (34) Methohexital;

- 1 ~~(33)~~ (35) Methylphenobarbital (mephobarbital);
2 ~~(34)~~ (36) Midazolam;
3 ~~(35)~~ (37) Nimetazepam;
4 ~~(36)~~ (38) Nitrazepam;
5 ~~(37)~~ (39) Nordiazepam;
6 ~~(38)~~ (40) Oxazepam;
7 ~~(39)~~ (41) Oxazolam;
8 ~~(40)~~ (42) Paraldehyde;
9 ~~(41)~~ (43) Petrichloral;
10 ~~(42)~~ (44) Phenobarbital;
11 ~~(43)~~ (45) Pinazepam;
12 ~~(44)~~ (46) Prazepam;
13 ~~(45)~~ (47) Quazepam;
14 ~~(46)~~ (48) Temazepam;
15 ~~(47)~~ (49) Tetrazepam;
16 ~~(48)~~ (50) Triazolam;
17 (51) Zaleplon;
18 ~~(49)~~ (52) Zolpidem;
19 (53) Zopiclone.

20 (d) *Fenfluramine*. -- Any material, compound, mixture or
21 preparation which contains any quantity of the following substance,
22 including its salts, isomers (whether optical, position or
23 geometric) and salts of such isomers whenever the existence of such
24 salts, isomers and salts of isomers is possible: Fenfluramine,

1 Dexfenfluramine.

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

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

8 (2) Diethylpropion;

9 (3) Fencamfamin;

10 (4) Fenproporex;

11 (5) Mazindol;

12 (6) Mefenorex;

13 (7) Modafinil;

14 ~~(7)~~ (8) Pemoline (including organometallic complexes and
15 chelates thereof);

16 ~~(8)~~ (9) Phentermine;

17 ~~(9)~~ (10) Pipradrol;

18 (11) Sibutramine;

19 ~~(10)~~ (12) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

20 (f) *Other substances.* -- Unless specifically excepted or
21 unless listed in another schedule, any material, compound, mixture
22 or preparation which contains any quantity of the following
23 substances, including its salts:

24 (1) Pentazocine;

1 (2) Butorphanol.

2 Amyl nitrite, butyl nitrite, isobutyl nitrite and the other
3 organic nitrites are controlled substances and no product
4 containing these compounds as a significant component shall be
5 possessed, bought or sold other than pursuant to a bona fide
6 prescription or for industrial or manufacturing purposes.

7 **§60A-2-212. Schedule V.**

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

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

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

24 (1) Not more than 200 milligrams of codeine per 100

1 milliliters or per 100 grams;

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

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

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

8 (5) Not more than 100 milligrams of opium per 100 milliliters
9 or per 100 grams;

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

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

17 (1) Pyrovalerone.

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

