

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 641
96TH GENERAL ASSEMBLY

1490L.06C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 195.010, 195.017, 195.022, 195.202, and 578.255, RSMo, and to enact in lieu thereof five new sections relating to controlled substances, with an existing penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 195.010, 195.017, 195.022, 195.202, and 578.255, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections 195.010, 195.017,
3 195.022, 195.202, and 578.255, to read as follows:

195.010. The following words and phrases as used in sections 195.005 to 195.425,
2 unless the context otherwise requires, mean:

3 (1) "Addict", a person who habitually uses one or more controlled substances to such an
4 extent as to create a tolerance for such drugs, and who does not have a medical need for such
5 drugs, or who is so far addicted to the use of such drugs as to have lost the power of self-control
6 with reference to his addiction;

7 (2) "Administer", to apply a controlled substance, whether by injection, inhalation,
8 ingestion, or any other means, directly to the body of a patient or research subject by:

9 (a) A practitioner (or, in his presence, by his authorized agent); or

10 (b) The patient or research subject at the direction and in the presence of the practitioner;

11 (3) "Agent", an authorized person who acts on behalf of or at the direction of a
12 manufacturer, distributor, or dispenser. The term does not include a common or contract carrier,
13 public warehouseman, or employee of the carrier or warehouseman while acting in the usual and
14 lawful course of the carrier's or warehouseman's business;

15 (4) "Attorney for the state", any prosecuting attorney, circuit attorney, or attorney general
16 authorized to investigate, commence and prosecute an action under sections 195.005 to 195.425;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (5) "Controlled substance", a drug, substance, or immediate precursor in Schedules I
18 through V listed in sections 195.005 to 195.425;

19 (6) "Controlled substance analogue", a substance the chemical structure of which is
20 substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

21 (a) Which has a stimulant, depressant, or hallucinogenic effect on the central nervous
22 system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central
23 nervous system of a controlled substance included in Schedule I or II; or

24 (b) With respect to a particular individual, which that individual represents or intends
25 to have a stimulant, depressant, or hallucinogenic effect on the central nervous system
26 substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous
27 system of a controlled substance included in Schedule I or II. The term does not include a
28 controlled substance; any substance for which there is an approved new drug application; any
29 substance for which an exemption is in effect for investigational use, for a particular person,
30 under Section 505 of the federal Food, Drug and Cosmetic Act (21 U.S.C. 355) to the extent
31 conduct with respect to the substance is pursuant to the exemption; or any substance to the extent
32 not intended for human consumption before such an exemption takes effect with respect to the
33 substance;

34 (7) "Counterfeit substance", a controlled substance which, or the container or labeling
35 of which, without authorization, bears the trademark, trade name, or other identifying mark,
36 imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser
37 other than the person who in fact manufactured, distributed, or dispensed the substance;

38 (8) "Deliver" or "delivery", the actual, constructive, or attempted transfer from one
39 person to another of drug paraphernalia or of a controlled substance, or an imitation controlled
40 substance, whether or not there is an agency relationship, and includes a sale;

41 (9) "Dentist", a person authorized by law to practice dentistry in this state;

42 (10) "Depressant or stimulant substance":

43 (a) A drug containing any quantity of barbituric acid or any of the salts of barbituric acid
44 or any derivative of barbituric acid which has been designated by the United States Secretary of
45 Health and Human Services as habit forming under 21 U.S.C. 352(d);

46 (b) A drug containing any quantity of:

47 a. Amphetamine or any of its isomers;

48 b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

49 c. Any substance the United States Attorney General, after investigation, has found to
50 be, and by regulation designated as, habit forming because of its stimulant effect on the central
51 nervous system;

52 (c) Lysergic acid diethylamide; or

53 (d) Any drug containing any quantity of a substance that the United States Attorney
54 General, after investigation, has found to have, and by regulation designated as having, a
55 potential for abuse because of its depressant or stimulant effect on the central nervous system or
56 its hallucinogenic effect;

57 (11) "Dispense", to deliver a narcotic or controlled dangerous drug to an ultimate user
58 or research subject by or pursuant to the lawful order of a practitioner including the prescribing,
59 administering, packaging, labeling, or compounding necessary to prepare the substance for such
60 delivery. "Dispenser" means a practitioner who dispenses;

61 (12) "Distribute", to deliver other than by administering or dispensing a controlled
62 substance;

63 (13) "Distributor", a person who distributes;

64 (14) "Drug":

65 (a) Substances recognized as drugs in the official United States Pharmacopoeia, Official
66 Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any
67 supplement to any of them;

68 (b) Substances intended for use in the diagnosis, cure, mitigation, treatment or
69 prevention of disease in humans or animals;

70 (c) Substances, other than food, intended to affect the structure or any function of the
71 body of humans or animals; and

72 (d) Substances intended for use as a component of any article specified in this
73 subdivision. It does not include devices or their components, parts or accessories;

74 (15) "Drug-dependent person", a person who is using a controlled substance and who
75 is in a state of psychic or physical dependence, or both, arising from the use of such substance
76 on a continuous basis. Drug dependence is characterized by behavioral and other responses
77 which include a strong compulsion to take the substance on a continuous basis in order to
78 experience its psychic effects or to avoid the discomfort caused by its absence;

79 (16) "Drug enforcement agency", the Drug Enforcement Administration in the United
80 States Department of Justice, or its successor agency;

81 (17) "Drug paraphernalia", all equipment, products, substances and materials of any kind
82 which are used, intended for use, or designed for use, in planting, propagating, cultivating,
83 growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing,
84 storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the
85 human body a controlled substance or an imitation controlled substance in violation of sections
86 195.005 to 195.425. It includes, but is not limited to:

87 (a) Kits used, intended for use, or designed for use in planting, propagating, cultivating,
88 growing or harvesting of any species of plant which is a controlled substance or from which a
89 controlled substance can be derived;

90 (b) Kits used, intended for use, or designed for use in manufacturing, compounding,
91 converting, producing, processing, or preparing controlled substances or imitation controlled
92 substances;

93 (c) Isomerization devices used, intended for use, or designed for use in increasing the
94 potency of any species of plant which is a controlled substance or an imitation controlled
95 substance;

96 (d) Testing equipment used, intended for use, or designed for use in identifying, or in
97 analyzing the strength, effectiveness or purity of controlled substances or imitation controlled
98 substances;

99 (e) Scales and balances used, intended for use, or designed for use in weighing or
100 measuring controlled substances or imitation controlled substances;

101 (f) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose
102 and lactose, used, intended for use, or designed for use in cutting controlled substances or
103 imitation controlled substances;

104 (g) Separation gins and sifters used, intended for use, or designed for use in removing
105 twigs and seeds from, or in otherwise cleaning or refining, marijuana;

106 (h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or
107 designed for use in compounding controlled substances or imitation controlled substances;

108 (i) Capsules, balloons, envelopes and other containers used, intended for use, or designed
109 for use in packaging small quantities of controlled substances or imitation controlled substances;

110 (j) Containers and other objects used, intended for use, or designed for use in storing or
111 concealing controlled substances or imitation controlled substances;

112 (k) Hypodermic syringes, needles and other objects used, intended for use, or designed
113 for use in parenterally injecting controlled substances or imitation controlled substances into the
114 human body;

115 (l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise
116 introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

117 a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens,
118 permanent screens, hashish heads, or punctured metal bowls;

119 b. Water pipes;

120 c. Carburetion tubes and devices;

121 d. Smoking and carburetion masks;

- 122 e. Roach clips meaning objects used to hold burning material, such as a marijuana
123 cigarette, that has become too small or too short to be held in the hand;
- 124 f. Miniature cocaine spoons and cocaine vials;
- 125 g. Chamber pipes;
- 126 h. Carburetor pipes;
- 127 i. Electric pipes;
- 128 j. Air-driven pipes;
- 129 k. Chillums;
- 130 l. Bongs;
- 131 m. Ice pipes or chillers;
- 132 (m) Substances used, intended for use, or designed for use in the manufacture of a
133 controlled substance; In determining whether an object, product, substance or material is drug
134 paraphernalia, a court or other authority should consider, in addition to all other logically
135 relevant factors, the following:
- 136 (a) Statements by an owner or by anyone in control of the object concerning its use;
- 137 (b) Prior convictions, if any, of an owner, or of anyone in control of the object, under any
138 state or federal law relating to any controlled substance or imitation controlled substance;
- 139 (c) The proximity of the object, in time and space, to a direct violation of sections
140 195.005 to 195.425;
- 141 (d) The proximity of the object to controlled substances or imitation controlled
142 substances;
- 143 (e) The existence of any residue of controlled substances or imitation controlled
144 substances on the object;
- 145 (f) Direct or circumstantial evidence of the intent of an owner, or of anyone in control
146 of the object, to deliver it to persons who he knows, or should reasonably know, intend to use
147 the object to facilitate a violation of sections 195.005 to 195.425; the innocence of an owner, or
148 of anyone in control of the object, as to direct violation of sections 195.005 to 195.425 shall not
149 prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
- 150 (g) Instructions, oral or written, provided with the object concerning its use;
- 151 (h) Descriptive materials accompanying the object which explain or depict its use;
- 152 (i) National or local advertising concerning its use;
- 153 (j) The manner in which the object is displayed for sale;
- 154 (k) Whether the owner, or anyone in control of the object, is a legitimate supplier of like
155 or related items to the community, such as a licensed distributor or dealer of tobacco products;
- 156 (l) Direct or circumstantial evidence of the ratio of sales of the object to the total sales
157 of the business enterprise;

158 (m) The existence and scope of legitimate uses for the object in the community;

159 (n) Expert testimony concerning its use;

160 (o) The quantity, form or packaging of the product, substance or material in relation to
161 the quantity, form or packaging associated with any legitimate use for the product, substance or
162 material;

163 (18) "Federal narcotic laws", the laws of the United States relating to controlled
164 substances;

165 (19) "Hospital", a place devoted primarily to the maintenance and operation of facilities
166 for the diagnosis, treatment or care, for not less than twenty-four hours in any week, of three or
167 more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal
168 physical conditions; or a place devoted primarily to provide, for not less than twenty-four
169 consecutive hours in any week, medical or nursing care for three or more nonrelated individuals.
170 The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined
171 in chapter 198;

172 (20) "Immediate precursor", a substance which:

173 (a) The state department of health and senior services has found to be and by rule
174 designates as being the principal compound commonly used or produced primarily for use in the
175 manufacture of a controlled substance;

176 (b) Is an immediate chemical intermediary used or likely to be used in the manufacture
177 of a controlled substance; and

178 (c) The control of which is necessary to prevent, curtail or limit the manufacture of the
179 controlled substance;

180 (21) "Imitation controlled substance", a substance that is not a controlled substance,
181 which by dosage unit appearance (including color, shape, size and markings), or by
182 representations made, would lead a reasonable person to believe that the substance is a controlled
183 substance. In determining whether the substance is an "imitation controlled substance" the court
184 or authority concerned should consider, in addition to all other logically relevant factors, the
185 following:

186 (a) Whether the substance was approved by the federal Food and Drug Administration
187 for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and
188 Drug Administration approved package, with the federal Food and Drug Administration
189 approved labeling information;

190 (b) Statements made by an owner or by anyone else in control of the substance
191 concerning the nature of the substance, or its use or effect;

192 (c) Whether the substance is packaged in a manner normally used for illicit controlled
193 substances;

194 (d) Prior convictions, if any, of an owner, or anyone in control of the object, under state
195 or federal law related to controlled substances or fraud;

196 (e) The proximity of the substances to controlled substances;

197 (f) Whether the consideration tendered in exchange for the noncontrolled substance
198 substantially exceeds the reasonable value of the substance considering the actual chemical
199 composition of the substance and, where applicable, the price at which over-the-counter
200 substances of like chemical composition sell. An imitation controlled substance does not include
201 a placebo or registered investigational drug either of which was manufactured, distributed,
202 possessed or delivered in the ordinary course of professional practice or research;

203 (22) "Laboratory", a laboratory approved by the department of health and senior services
204 as proper to be entrusted with the custody of controlled substances but does not include a
205 pharmacist who compounds controlled substances to be sold or dispensed on prescriptions;

206 (23) "Manufacture", the production, preparation, propagation, compounding or
207 processing of drug paraphernalia or of a controlled substance, or an imitation controlled
208 substance, either directly or by extraction from substances of natural origin, or independently by
209 means of chemical synthesis, or by a combination of extraction and chemical synthesis, and
210 includes any packaging or repackaging of the substance or labeling or relabeling of its container.
211 This term does not include the preparation or compounding of a controlled substance or an
212 imitation controlled substance or the preparation, compounding, packaging or labeling of a
213 narcotic or dangerous drug:

214 (a) By a practitioner as an incident to his administering or dispensing of a controlled
215 substance or an imitation controlled substance in the course of his professional practice, or

216 (b) By a practitioner or his authorized agent under his supervision, for the purpose of,
217 or as an incident to, research, teaching or chemical analysis and not for sale;

218 (24) "Marijuana", all parts of the plant genus *Cannabis* in any species or form thereof,
219 including, but not limited to *Cannabis Sativa* L., *Cannabis Indica*, *Cannabis Americana*,
220 *Cannabis Ruderalis*, and *Cannabis Gigantea*, whether growing or not, the seeds thereof, the resin
221 extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture,
222 or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant,
223 fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound,
224 manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin
225 extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of
226 germination;

227 (25) "Methamphetamine precursor drug", any drug containing ephedrine,
228 pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical
229 isomers;

230 (26) "Narcotic drug", any of the following, whether produced directly or indirectly by
231 extraction from substances of vegetable origin, or independently by means of chemical synthesis,
232 or by a combination of extraction and chemical analysis:

233 (a) Opium, opiate, and any derivative, of opium or opiate, including their isomers, esters,
234 ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers,
235 esters, ethers, and salts is possible within the specific chemical designation. The term does not
236 include the isoquinoline alkaloids of opium;

237 (b) Coca leaves, but not including extracts of coca leaves from which cocaine, ecgonine,
238 and derivatives of ecgonine or their salts have been removed;

239 (c) Cocaine or any salt, isomer, or salt of isomer thereof;

240 (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

241 (e) Any compound, mixture, or preparation containing any quantity of any substance
242 referred to in paragraphs (a) to (d) of this subdivision;

243 (27) "Official written order", an order written on a form provided for that purpose by the
244 United States Commissioner of Narcotics, under any laws of the United States making provision
245 therefor, if such order forms are authorized and required by federal law, and if no such order
246 form is provided, then on an official form provided for that purpose by the department of health
247 and senior services;

248 (28) "Opiate", any substance having an addiction-forming or addiction-sustaining
249 liability similar to morphine or being capable of conversion into a drug having addiction-forming
250 or addiction-sustaining liability. The term includes its racemic and levorotatory forms. It does
251 not include, unless specifically controlled under section 195.017, the dextrorotatory isomer of
252 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

253 (29) "Opium poppy", the plant of the species *Papaver somniferum* L., except its seeds;

254 (30) "Over-the-counter sale", a retail sale licensed pursuant to chapter 144 of a drug
255 other than a controlled substance;

256 (31) "Person", an individual, corporation, government or governmental subdivision or
257 agency, business trust, estate, trust, partnership, joint venture, association, or any other legal or
258 commercial entity;

259 (32) "Pharmacist", a licensed pharmacist as defined by the laws of this state, and where
260 the context so requires, the owner of a store or other place of business where controlled
261 substances are compounded or dispensed by a licensed pharmacist; but nothing in sections
262 195.005 to 195.425 shall be construed as conferring on a person who is not registered nor
263 licensed as a pharmacist any authority, right or privilege that is not granted to him by the
264 pharmacy laws of this state;

265 (33) "Poppy straw", all parts, except the seeds, of the opium poppy, after mowing;

266 (34) "Possessed" or "possessing a controlled substance", a person, with the knowledge
267 of the presence and nature of a substance, has actual or constructive possession of the substance.
268 A person has actual possession if he has the substance on his person or within easy reach and
269 convenient control. A person who, although not in actual possession, has the power and the
270 intention at a given time to exercise dominion or control over the substance either directly or
271 through another person or persons is in constructive possession of it. Possession may also be
272 sole or joint. If one person alone has possession of a substance possession is sole. If two or
273 more persons share possession of a substance, possession is joint;

274 (35) "Practitioner", a physician, dentist, optometrist, podiatrist, veterinarian, scientific
275 investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by
276 this state to distribute, dispense, conduct research with respect to or administer or to use in
277 teaching or chemical analysis, a controlled substance in the course of professional practice or
278 research in this state, or a pharmacy, hospital or other institution licensed, registered, or
279 otherwise permitted to distribute, dispense, conduct research with respect to or administer a
280 controlled substance in the course of professional practice or research;

281 (36) "Production", includes the manufacture, planting, cultivation, growing, or
282 harvesting of drug paraphernalia or of a controlled substance or an imitation controlled
283 substance;

284 (37) "Registry number", the number assigned to each person registered under the federal
285 controlled substances laws;

286 (38) "Sale", includes barter, exchange, or gift, or offer therefor, and each such transaction
287 made by any person, whether as principal, proprietor, agent, servant or employee;

288 (39) "State" when applied to a part of the United States, includes any state, district,
289 commonwealth, territory, insular possession thereof, and any area subject to the legal authority
290 of the United States of America;

291 (40) **"Synthetic cannabinoid", includes unless specifically excepted or unless listed**
292 **in another schedule, any natural or synthetic material, compound, mixture, or preparation**
293 **that contains any quantity of a substance that is a cannabinoid receptor agonist, including**
294 **but not limited to any substance listed in paragraph (kk) of subdivision (4) of subsection**
295 **2 of section 195.017 and any analogues, homologues; isomers, whether optical, positional,**
296 **or geometric; esters; ethers; salts; and salts of isomers, esters, and ethers, whenever the**
297 **existence of the isomers, esters, ethers, or salts is possible within the specific chemical**
298 **designation, however, it shall not include any approved pharmaceutical authorized by the**
299 **United States Food and Drug Administration;**

300 (41) "Ultimate user", a person who lawfully possesses a controlled substance or an
301 imitation controlled substance for his own use or for the use of a member of his household or for
302 administering to an animal owned by him or by a member of his household;

303 [(41)] (42) "Wholesaler", a person who supplies drug paraphernalia or controlled
304 substances or imitation controlled substances that he himself has not produced or prepared, on
305 official written orders, but not on prescriptions.

195.017. 1. The department of health and senior services shall place a substance in
2 Schedule I if it finds that the substance:

3 (1) Has high potential for abuse; and

4 (2) Has no accepted medical use in treatment in the United States or lacks accepted
5 safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in Schedule I;

8 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
9 of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these
10 isomers, esters, ethers and salts is possible within the specific chemical designation:

11 (a) Acetyl-alpha-methylfentanyl;

12 (b) Acetylmethadol;

13 (c) Allylprodine;

14 (d) Alphacetylmethadol;

15 (e) Alphameprodine;

16 (f) Alphamethadol;

17 (g) Alpha-methylfentanyl;

18 (h) Alpha-methylthiofentanyl;

19 (i) Benzethidine;

20 (j) Betacetylmethadol;

21 (k) Beta-hydroxyfentanyl;

22 (l) Beta-hydroxy-3-methylfentanyl;

23 (m) Betameprodine;

24 (n) Betamethadol;

25 (o) Betaprodine;

26 (p) Clonitazene;

27 (q) Dextromoramide;

28 (r) Diampromide;

29 (s) Diethylthiambutene;

30 (t) Difenoxyin;

- 31 (u) Dimenoxadol;
- 32 (v) Dimepheptanol;
- 33 (w) Dimethylthiambutene;
- 34 (x) Dioxaphetyl butyrate;
- 35 (y) Dipipanone;
- 36 (z) Ethylmethylthiambutene;
- 37 (aa) Etonitazene;
- 38 (bb) Etoxeridine;
- 39 (cc) Furethidine;
- 40 (dd) Hydroxypethidine;
- 41 (ee) Ketobemidone;
- 42 (ff) Levomoramide;
- 43 (gg) Levophenacylmorphane;
- 44 (hh) 3-Methylfentanyl;
- 45 (ii) 3-Methylthiofentanyl;
- 46 (jj) Morpheridine;
- 47 (kk) MPPP;
- 48 (ll) Noracymethadol;
- 49 (mm) Norlevorphanol;
- 50 (nn) Normethadone;
- 51 (oo) Norpiperone;
- 52 (pp) Para-fluorofentanyl;
- 53 (qq) PEPAP;
- 54 (rr) Phenadoxone;
- 55 (ss) Phenampromide;
- 56 (tt) Phenomorphan;
- 57 (uu) Phenoperidine;
- 58 (vv) Piritramide;
- 59 (ww) Proheptazine;
- 60 (xx) Properidine;
- 61 (yy) Propiram;
- 62 (zz) Racemoramide;
- 63 (aaa) Thiofentanyl;
- 64 (bbb) Tilidine;
- 65 (ccc) Trimeperidine;

66 (3) Any of the following opium derivatives, their salts, isomers and salts of isomers
67 unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers
68 is possible within the specific chemical designation:

- 69 (a) Acetorphine;
- 70 (b) Acetyldihydrocodeine;
- 71 (c) Benzylmorphine;
- 72 (d) Codeine methylbromide;
- 73 (e) Codeine-N-Oxide;
- 74 (f) Cyprenorphine;
- 75 (g) Desomorphine;
- 76 (h) Dihydromorphine;
- 77 (i) Drotebanol;
- 78 (j) Etorphine (except hydrochloride salt);
- 79 (k) Heroin;
- 80 (l) Hydromorphenol;
- 81 (m) Methyldesorphine;
- 82 (n) Methyldihydromorphine;
- 83 (o) Morphine methylbromide;
- 84 (p) Morphine methylsulfonate;
- 85 (q) Morphine-N-Oxide;
- 86 (r) Myorphine;
- 87 (s) Nicocodeine;
- 88 (t) Nicomorphine;
- 89 (u) Normorphine;
- 90 (v) Pholcodine;
- 91 (w) Thebacon;

92 (4) Any material, compound, mixture or preparation which contains any quantity of the
93 following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically
94 excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within
95 the specific chemical designation:

- 96 (a) 4-bromo-2, 5-dimethoxyamphetamine;
- 97 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- 98 (c) 2,5-dimethoxyamphetamine;
- 99 (d) 2,5-dimethoxy-4-ethylamphetamine;
- 100 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 101 (f) 4-methoxyamphetamine;

- 102 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 103 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 104 (i) 3,4-methylenedioxyamphetamine;
- 105 (j) 3,4-methylenedioxymethamphetamine;
- 106 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 107 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 108 (m) 3,4,5-trimethoxyamphetamine;
- 109 (n) [5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts
- 110 of isomers;
- 111 [(o)] Alpha-ethyltryptamine;
- 112 [(p)] **(o)** Alpha-methyltryptamine;
- 113 [(q)] **(p)** Bufotenine;
- 114 [(r)] Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
- 115 6a,7,10,10 a-tetrahydrobenzo[c]chromen-1-ol;
- 116 [(s)] **(q)** Diethyltryptamine;
- 117 [(t)] **(r)** Dimethyltryptamine;
- 118 [(u)] **(s)** 5-methoxy-N,N-diisopropyltryptamine;
- 119 [(v)] **(t)** Ibogaine;
- 120 [(w)] Indole, or 1-butyl-3(1-naphthoyl)indole;
- 121 (x) Indole, or 1-pentyl-3(1-naphthoyl)indole;
- 122 [(y)] **(u)** Lysergic acid diethylamide;
- 123 [(z)] **(v)** Marijuana or marihuana;
- 124 [(aa)] **(w)** Mescaline;
- 125 [(bb)] **(x)** Parahexyl;
- 126 [(cc)] **(y)** Peyote, to include all parts of the plant presently classified botanically as
- 127 Lophophora Williamsii Lemaire, whether growing or not; the seeds thereof; any extract from any
- 128 part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of
- 129 the plant, its seed or extracts;
- 130 [(dd)] Phenol, CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-
- 131 methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n=4,6, or 7;
- 132 [(ee)] **(z)** N-ethyl-3-piperidyl benzilate;
- 133 [(ff)] **(aa)** N-methyl-3-piperidyl benzilate;
- 134 [(gg)] **(bb)** Psilocybin;
- 135 [(hh)] **(cc)** Psilocyn;
- 136 [(ii)] **(dd)** Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
- 137 (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis

138 plant, or in the resinous extractives of such plant, or synthetic substances, derivatives, and their
139 isomers with similar chemical structure and pharmacological activity to those substances
140 contained in the plant, such as the following:

- 141 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 142 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 143 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 144 d. Any compounds of these structures, regardless of numerical designation of atomic
145 positions covered;

146 [(jj)] (ee) Ethylamine analog of phencyclidine;

147 [(kk)] (ff) Pyrrolidine analog of phencyclidine;

148 [(ll)] (gg) Thiophene analog of phencyclidine;

149 [(mm)] (hh) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

150 [(nn)] (ii) Salvia divinorum;

151 [(oo)] (jj) Salvinorin A;

152 (kk) **Synthetic cannabinoids including but not limited to the following:**

153 a. (6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
154 tetrahydrobenzo[c]chromen-1-ol(HU-210);

155 b. 1-Butyl-3-(1-naphthoyl)indole (JWH-073);

156 c. 2-(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone (JWH-203);

157 d. (dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
158 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol)(HU-211);

159 e. dimethylheptylpyran;

160 f. 1,1-Dimethylheptyl-11-hydroxytetrahydrocannabinol;

161 g. 4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone(JWH-210);

162 h. 1-hexyl-3-(naphthalen-1-oyl)indole(JWH-019);

163 i. 1-hexyl-3-(1-naphthoyl)indole;

164 j. Mephedrone (4-methylmethcathinone);

165 k. 7-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone(JWH-164);

166 l. 4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone (JWH-081);

167 m. 4-methoxynaphthalen-1-yl-(1-pentyl-2-methylindol-3-yl)methanone(JWH-098);

168 n. 2-(2-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone (JWH-250);

169 o. 4-Methyl-alpha-pyrrolidinobutyrophenone;

170 p. (2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone(JWH-015);

171 q. (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone(JWH-200);

172 r. [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-methanone;

173 s. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

- 174 **t. 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts**
175 **of isomers;**
- 176 **u. Dexanabinol,**
177 **(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10**
178 **a-tetrahydrobenzo[c]chromen-1-ol;**
- 179 **v. Indole, or 1-butyl-3(1-naphthoyl)indole;**
180 **w. Indole, or 1-pentyl-3(1-naphthoyl)indole;**
- 181 **x. 1-pentyl-3-(4-chloro-1-naphthoyl)indole(JWH-398);**
182 **y. 1-(1-pentyl-1H-indol-3-yl)-2-(2-methoxyphenyl)-ethanone;**
183 **z. 1-pentyl-3-(2-methoxyphenylacetyl)indole;**
184 **aa. 1-pentyl-2-methyl-3-(1-naphthoyl)indole (JWH-007);**
185 **bb. 1-Pentyl-3-(1-naphthoyl)indole (JWH-018);**
186 **cc. Phenol, CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-**
187 **methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n-4,6,**
188 **or 7;**
- 189 **dd. (R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-**
190 **benzoxazin-6-yl]-1-naphthalenylmethanone(WIN-55/212-2);**
- 191 **ee. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol(CP47,497);**
192 (5) Any material, compound, mixture or preparation containing any quantity of the
193 following substances having a depressant effect on the central nervous system, including their
194 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
195 isomers is possible within the specific chemical designation:
- 196 (a) Gamma-hydroxybutyric acid;
197 (b) Mecloqualone;
198 (c) Methaqualone;
- 199 (6) Any material, compound, mixture or preparation containing any quantity of the
200 following substances having a stimulant effect on the central nervous system, including their
201 salts, isomers and salts of isomers:
- 202 (a) Aminorex;
203 (b) N-benzylpiperazine;
204 (c) Cathinone;
205 (d) Fenethylamine;
206 (e) Methcathinone;
- 207 **(f) Methylenedioxypropylamphetamine or [(MDPV) (1-(1,3-Benzodioxol-5-yl)-2-(1-**
208 **pyrrolidinyl)-1-pentanone];**

209 [(f)] (g) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-
210 oxazolamine);

211 [(g)] (h) N-ethylamphetamine;

212 [(h)] (i) N,N-dimethylamphetamine;

213 (7) A temporary listing of substances subject to emergency scheduling under federal law
214 shall include any material, compound, mixture or preparation which contains any quantity of the
215 following substances:

216 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its optical isomers,
217 salts and salts of isomers;

218 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its
219 optical isomers, salts and salts of isomers;

220 (8) Khat, to include all parts of the plant presently classified botanically as *catha edulis*,
221 whether growing or not; the seeds thereof; any extract from any part of such plant; and every
222 compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.

223 3. The department of health and senior services shall place a substance in Schedule II
224 if it finds that:

225 (1) The substance has high potential for abuse;

226 (2) The substance has currently accepted medical use in treatment in the United States,
227 or currently accepted medical use with severe restrictions; and

228 (3) The abuse of the substance may lead to severe psychic or physical dependence.

229 4. The controlled substances listed in this subsection are included in Schedule II:

230 (1) Any of the following substances whether produced directly or indirectly by extraction
231 from substances of vegetable origin, or independently by means of chemical synthesis, or by
232 combination of extraction and chemical synthesis:

233 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or
234 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
235 nalmefene, naloxone and naltrexone, and their respective salts but including the following:

236 a. Raw opium;

237 b. Opium extracts;

238 c. Opium fluid;

239 d. Powdered opium;

240 e. Granulated opium;

241 f. Tincture of opium;

242 g. Codeine;

243 h. Ethylmorphine;

244 i. Etorphine hydrochloride;

- 245 j. Hydrocodone;
- 246 k. Hydromorphone;
- 247 l. Metopon;
- 248 m. Morphine;
- 249 n. Oxycodone;
- 250 o. Oxymorphone;
- 251 p. Thebaine;
- 252 (b) Any salt, compound, derivative, or preparation thereof which is chemically
- 253 equivalent or identical with any of the substances referred to in this subdivision, but not
- 254 including the isoquinoline alkaloids of opium;
- 255 (c) Opium poppy and poppy straw;
- 256 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
- 257 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
- 258 with any of these substances, but not including decocainized coca leaves or extractions which
- 259 do not contain cocaine or ecgonine;
- 260 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
- 261 or powder form which contains the phenanthrene alkaloids of the opium poppy);
- 262 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
- 263 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within
- 264 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
- 265 (a) Alfentanil;
- 266 (b) Alphaprodine;
- 267 (c) Anileridine;
- 268 (d) Bezitramide;
- 269 (e) Bulk dextropropoxyphene;
- 270 (f) Carfentanil;
- 271 (g) Dihydrocodeine;
- 272 (h) Diphenoxylate;
- 273 (i) Fentanyl;
- 274 (j) Isomethadone;
- 275 (k) Levo-alphaacetylmethadol;
- 276 (l) Levomethorphan;
- 277 (m) Levorphanol;
- 278 (n) Metazocine;
- 279 (o) Methadone;
- 280 (p) Meperidine;

- 281 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
282 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic
283 acid;
284 (s) Pethidine (meperidine);
285 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
286 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
287 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
288 (w) Phenazocine;
289 (x) Piminodine;
290 (y) Racemethorphan;
291 (z) Racemorphan;
292 (aa) Remifentanil;
293 (bb) Sufentanil;
294 (cc) Tapentadol;
295 (3) Any material, compound, mixture, or preparation which contains any quantity of the
296 following substances having a stimulant effect on the central nervous system:
297 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
298 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
299 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
300 (d) Phenmetrazine and its salts;
301 (e) Methylphenidate;
302 (4) Any material, compound, mixture, or preparation which contains any quantity of the
303 following substances having a depressant effect on the central nervous system, including its salts,
304 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
305 is possible within the specific chemical designation:
306 (a) Amobarbital;
307 (b) Glutethimide;
308 (c) Pentobarbital;
309 (d) Phencyclidine;
310 (e) Secobarbital;
311 (5) Any material or compound which contains any quantity of nabilone;
312 (6) Any material, compound, mixture, or preparation which contains any quantity of the
313 following substances:
314 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
315 (b) Immediate precursors to phencyclidine (PCP):
316 a. 1-phenylcyclohexylamine;

- 317 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 318 (7) Any material, compound, mixture, or preparation which contains any quantity of the
- 319 following alkyl nitrites:
- 320 (a) Amyl nitrite;
- 321 (b) Butyl nitrite.
- 322 5. The department of health and senior services shall place a substance in Schedule III
- 323 if it finds that:
- 324 (1) The substance has a potential for abuse less than the substances listed in Schedules
- 325 I and II;
- 326 (2) The substance has currently accepted medical use in treatment in the United States;
- 327 and
- 328 (3) Abuse of the substance may lead to moderate or low physical dependence or high
- 329 psychological dependence.
- 330 6. The controlled substances listed in this subsection are included in Schedule III:
- 331 (1) Any material, compound, mixture, or preparation which contains any quantity of the
- 332 following substances having a potential for abuse associated with a stimulant effect on the
- 333 central nervous system:
- 334 (a) Benzphetamine;
- 335 (b) Chlorphentermine;
- 336 (c) Clortermine;
- 337 (d) Phendimetrazine;
- 338 (2) Any material, compound, mixture or preparation which contains any quantity or salt
- 339 of the following substances or salts having a depressant effect on the central nervous system:
- 340 (a) Any material, compound, mixture or preparation which contains any quantity or salt
- 341 of the following substances combined with one or more active medicinal ingredients:
- 342 a. Amobarbital;
- 343 b. Secobarbital;
- 344 c. Pentobarbital;
- 345 (b) Any suppository dosage form containing any quantity or salt of the following:
- 346 a. Amobarbital;
- 347 b. Secobarbital;
- 348 c. Pentobarbital;
- 349 (c) Any substance which contains any quantity of a derivative of barbituric acid or its
- 350 salt;
- 351 (d) Chlorhexadol;
- 352 (e) Embutramide;

- 353 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
354 a drug product for which an application has been approved under Section 505 of the federal
355 Food, Drug, and Cosmetic Act;
- 356 (g) Ketamine, its salts, isomers, and salts of isomers;
- 357 (h) Lysergic acid;
- 358 (i) Lysergic acid amide;
- 359 (j) Methyprylon;
- 360 (k) Sulfondiethylmethane;
- 361 (l) Sulfonethylmethane;
- 362 (m) Sulfonmethane;
- 363 (n) Tiletamine and zolazepam or any salt thereof;
- 364 (3) Nalorphine;
- 365 (4) Any material, compound, mixture, or preparation containing limited quantities of any
366 of the following narcotic drugs or their salts:
- 367 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
368 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
369 of opium;
- 370 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
371 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
372 therapeutic amounts;
- 373 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
374 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
375 isoquinoline alkaloid of opium;
- 376 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
377 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic
378 ingredients in recognized therapeutic amounts;
- 379 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more
380 than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in
381 recognized therapeutic amounts;
- 382 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters
383 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic
384 ingredients in recognized therapeutic amounts;
- 385 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per
386 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more
387 active nonnarcotic ingredients in recognized therapeutic amounts;

388 (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one
389 hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
390 amounts;

391 (5) Any material, compound, mixture, or preparation containing any of the following
392 narcotic drugs or their salts, as set forth in subdivision (6) of this subsection; buprenorphine;

393 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
394 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and
395 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is
396 expressly intended for administration through implants to cattle or other nonhuman species and
397 which has been approved by the Secretary of Health and Human Services for that administration.
398 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall
399 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
400 meaning of this [paragraph] **subdivision**. Unless specifically excepted or unless listed in another
401 schedule, any material, compound, mixture or preparation containing any quantity of the
402 following substances, including its salts, esters and ethers:

- 403 (a) $3\beta,17$ -dihydroxy- 5α -androstane;
- 404 (b) $3\alpha,17\beta$ -dihydroxy- 5α -androstane;
- 405 (c) 5α -androstan- $3,17$ -dione;
- 406 (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy- 5α -androst-1-ene);
- 407 (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy- 5α -androst-1-ene);
- 408 (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
- 409 (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
- 410 (h) 1-androstenedione ($[5\alpha]$ -androst-1-en- $3,17$ -dione);
- 411 (i) 4-androstenedione (androst-4-en- $3,17$ -dione);
- 412 (j) 5-androstenedione (androst-5-en- $3,17$ -dione);
- 413 (k) Bolasterone ($7\alpha, 17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
- 414 (l) Boldenone (17β -hydroxyandrost-1,4,-diene-3-one);
- 415 (m) Boldione;
- 416 (n) Calusterone ($7\beta, 17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
- 417 (o) Clostebol (4-chloro- 17β -hydroxyandrost-4-en-3-one);
- 418 (p) Dehydrochloromethyltestosterone (4-chloro- 17β -hydroxy- 17α -methyl-androst-1,4-
- 419 dien-3-one);
- 420 (q) Desoxymethyltestosterone;
- 421 (r) $\Delta 1$ -dihydrotestosterone (a.k.a. '1-testosterone')(17β -hydroxy- 5α -androst-1-en-3-one);
- 422 (s) 4-dihydrotestosterone (17β -hydroxy-androstan-3-one);
- 423 (t) Drostanolone (17β -hydroxy- 2α -methyl- 5α -androstan-3-one);

- 424 (u) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
425 (v) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
426 (w) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
427 (x) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);
428 (y) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
429 (z) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
430 (aa) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
431 (bb) Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);
432 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
433 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
434 (ee) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
435 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
436 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
437 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
438 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
439 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-
440 one);
441 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
442 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
443 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
444 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
445 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-
446 one) (a.k.a. '17- α -methyl-1-testosterone');
447 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
448 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
449 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
450 (ss) 19-nor-4,9(10)-androstadienedione;
451 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
452 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
453 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
454 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
455 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
456 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
457 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
458 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
459 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);

- 460 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
461 (ddd) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
462 one);
463 (eee) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
464 (fff) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
465 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
466 (hhh) Testosterone (17 β -hydroxyandrost-4-en-3-one);
467 (iii) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
468 (jjj) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);
469 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this
470 subdivision, except an anabolic steroid which is expressly intended for administration through
471 implants to cattle or other nonhuman species and which has been approved by the Secretary of
472 Health and Human Services for that administration;
- 473 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
474 United States Food and Drug Administration approved drug product;
- 475 (8) The department of health and senior services may except by rule any compound,
476 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
477 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
478 195.320 if the compound, mixture, or preparation contains one or more active medicinal
479 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
480 admixtures are included therein in combinations, quantity, proportion, or concentration that
481 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
482 the central nervous system.
- 483 7. The department of health and senior services shall place a substance in Schedule IV
484 if it finds that:
- 485 (1) The substance has a low potential for abuse relative to substances in Schedule III;
486 (2) The substance has currently accepted medical use in treatment in the United States;
487 and
- 488 (3) Abuse of the substance may lead to limited physical dependence or psychological
489 dependence relative to the substances in Schedule III.
- 490 8. The controlled substances listed in this subsection are included in Schedule IV:
- 491 (1) Any material, compound, mixture, or preparation containing any of the following
492 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
493 as set forth below:
- 494 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms
495 of atropine sulfate per dosage unit;

496 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-
497 propionoxybutane);

498 (c) Any of the following limited quantities of narcotic drugs or their salts, which shall
499 include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer
500 upon the compound, mixture or preparation valuable medicinal qualities other than those
501 possessed by the narcotic drug alone:

502 a. Not more than two hundred milligrams of codeine per one hundred milliliters or per
503 one hundred grams;

504 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
505 or per one hundred grams;

506 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
507 or per one hundred grams;

508 (2) Any material, compound, mixture or preparation containing any quantity of the
509 following substances, including their salts, isomers, and salts of isomers whenever the existence
510 of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

511 (a) Alprazolam;

512 (b) Barbitol;

513 (c) Bromazepam;

514 (d) Camazepam;

515 (e) Chloral betaine;

516 (f) Chloral hydrate;

517 (g) Chlordiazepoxide;

518 (h) Clobazam;

519 (i) Clonazepam;

520 (j) Clorazepate;

521 (k) Clotiazepam;

522 (l) Cloxazolam;

523 (m) Delorazepam;

524 (n) Diazepam;

525 (o) Dichloralphenazone;

526 (p) Estazolam;

527 (q) Ethchlorvynol;

528 (r) Ethinamate;

529 (s) Ethyl loflazepate;

530 (t) Fludiazepam;

531 (u) Flunitrazepam;

- 532 (v) Flurazepam;
- 533 (w) Fospropofol;
- 534 (x) Halazepam;
- 535 (y) Haloxazolam;
- 536 (z) Ketazolam;
- 537 (aa) Loprazolam;
- 538 (bb) Lorazepam;
- 539 (cc) Lormetazepam;
- 540 (dd) Mebutamate;
- 541 (ee) Medazepam;
- 542 (ff) Meprobamate;
- 543 (gg) Methohexital;
- 544 (hh) Methylphenobarbital (mephobarbital);
- 545 (ii) Midazolam;
- 546 (jj) Nimetazepam;
- 547 (kk) Nitrazepam;
- 548 (ll) Nordiazepam;
- 549 (mm) Oxazepam;
- 550 (nn) Oxazolam;
- 551 (oo) Paraldehyde;
- 552 (pp) Petrichloral;
- 553 (qq) Phenobarbital;
- 554 (rr) Pinazepam;
- 555 (ss) Prazepam;
- 556 (tt) Quazepam;
- 557 (uu) Temazepam;
- 558 (vv) Tetrazepam;
- 559 (ww) Triazolam;
- 560 (xx) Zaleplon;
- 561 (yy) Zolpidem;
- 562 (zz) Zopiclone;
- 563 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 564 following substance including its salts, isomers and salts of isomers whenever the existence of
- 565 such salts, isomers and salts of isomers is possible: fenfluramine;

566 (4) Any material, compound, mixture or preparation containing any quantity of the
567 following substances having a stimulant effect on the central nervous system, including their
568 salts, isomers and salts of isomers:

- 569 (a) Cathine ((+)-norpseudoephedrine);
- 570 (b) Diethylpropion;
- 571 (c) Fencamfamin;
- 572 (d) Fenproporex;
- 573 (e) Mazindol;
- 574 (f) Mefenorex;
- 575 (g) Modafinil;
- 576 (h) Pemoline, including organometallic complexes and chelates thereof;
- 577 (i) Phentermine;
- 578 (j) Pipradrol;
- 579 (k) Sibutramine;
- 580 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

581 (5) Any material, compound, mixture or preparation containing any quantity of the
582 following substance, including its salts:

- 583 (a) butorphanol;
- 584 (b) pentazocine;

585 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance
586 is the only active medicinal ingredient;

587 (7) The department of health and senior services may except by rule any compound,
588 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
589 subsection from the application of all or any part of sections 195.010 to 195.320 if the
590 compound, mixture, or preparation contains one or more active medicinal ingredients not having
591 a depressant effect on the central nervous system, and if the admixtures are included therein in
592 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
593 substances which have a depressant effect on the central nervous system.

594 9. The department of health and senior services shall place a substance in Schedule V
595 if it finds that:

596 (1) The substance has low potential for abuse relative to the controlled substances listed
597 in Schedule IV;

598 (2) The substance has currently accepted medical use in treatment in the United States;
599 and

600 (3) The substance has limited physical dependence or psychological dependence liability
601 relative to the controlled substances listed in Schedule IV.

602 10. The controlled substances listed in this subsection are included in Schedule V:

603 (1) Any compound, mixture or preparation containing any of the following narcotic
604 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set
605 forth below, which also contains one or more nonnarcotic active medicinal ingredients in
606 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal
607 qualities other than those possessed by the narcotic drug alone:

608 (a) Not more than two and five-tenths milligrams of diphenoxylate and not less than
609 twenty-five micrograms of atropine sulfate per dosage unit;

610 (b) Not more than one hundred milligrams of opium per one hundred milliliters or per
611 one hundred grams;

612 (c) Not more than five-tenths milligram of difenoxin and not less than twenty-five
613 micrograms of atropine sulfate per dosage unit;

614 (2) Any material, compound, mixture or preparation which contains any quantity of the
615 following substance having a stimulant effect on the central nervous system including its salts,
616 isomers and salts of isomers: pyrovalerone;

617 (3) Any compound, mixture, or preparation containing any detectable quantity of
618 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
619 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
620 isomers, or salts of optical isomers;

621 (4) Unless specifically exempted or excluded or unless listed in another schedule, any
622 material, compound, mixture, or preparation which contains any quantity of the following
623 substances having a depressant effect on the central nervous system, including its salts:

624 (a) Lacosamide;

625 (b) Pregabalin.

626 11. If any compound, mixture, or preparation as specified in subdivision (3) of
627 subsection 10 of this section is dispensed, sold, or distributed in a pharmacy without a
628 prescription:

629 (1) All packages of any compound, mixture, or preparation containing any detectable
630 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine,
631 its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind
632 a pharmacy counter where the public is not permitted, and only by a registered pharmacist or
633 registered pharmacy technician; and

634 (2) Any person purchasing, receiving or otherwise acquiring any compound, mixture,
635 or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers,
636 or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers
637 shall be at least eighteen years of age; and

638 (3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require
639 any person, prior to their purchasing, receiving or otherwise acquiring such compound, mixture,
640 or preparation to furnish suitable photo identification that is issued by a state or the federal
641 government or a document that, with respect to identification, is considered acceptable and
642 showing the date of birth of the person;

643 (4) The seller shall deliver the product directly into the custody of the purchaser.

644 12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall
645 implement and maintain an electronic log of each transaction. Such log shall include the
646 following information:

647 (1) The name, address, and signature of the purchaser;

648 (2) The amount of the compound, mixture, or preparation purchased;

649 (3) The date and time of each purchase; and

650 (4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy
651 technician who dispensed the compound, mixture, or preparation to the purchaser.

652 13. Each pharmacy shall submit information regarding sales of any compound, mixture,
653 or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with
654 transmission methods and frequency established by the department by regulation;

655 14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities
656 greater than those specified in this chapter.

657 15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products
658 in a pharmacy shall ensure that all such products are located only behind a pharmacy counter
659 where the public is not permitted.

660 16. Any person who knowingly or recklessly violates the provisions of subsections 11
661 to 15 of this section is guilty of a class A misdemeanor.

662 17. The scheduling of substances specified in subdivision (3) of subsection 10 of this
663 section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds,
664 mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound,
665 mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must
666 be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

667 18. The manufacturer of a drug product or another interested party may apply with the
668 department of health and senior services for an exemption from this section. The department of
669 health and senior services may grant an exemption by rule from this section if the department
670 finds the drug product is not used in the illegal manufacture of methamphetamine or other
671 controlled or dangerous substances. The department of health and senior services shall rely on
672 reports from law enforcement and law enforcement evidentiary laboratories in determining if the
673 proposed product can be used to manufacture illicit controlled substances.

674 19. The department of health and senior services shall revise and republish the schedules
675 annually.

676 20. The department of health and senior services shall promulgate rules under chapter
677 536 regarding the security and storage of Schedule V controlled substances, as described in
678 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
679 of health and senior services.

680 21. Logs of transactions required to be kept and maintained by this section and section
681 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
682 the person whose transactions are recorded in the logs.

195.022. [A controlled substance analogue shall, to the extent intended for human
2 consumption, be treated, for the purposes of any state law, as a controlled substance in schedule
3 **I] Any analogue or homologue of a Schedule I controlled substance shall be treated, for the**
4 **purposes of any state law, as a controlled substance in Schedule I.**

195.202. 1. Except as authorized by sections 195.005 to 195.425, it is unlawful for any
2 person to possess or have under his control a controlled substance.

3 2. Any person who violates this section with respect to any controlled substance except
4 **thirty-five grams or less of marijuana[, Dexanabinol,**
5 **(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10**
6 **a-tetrahydrobenzo[c]chromen-1-ol, Indole, or 1-butyl-3(1-naphthoyl)indole, Indole, or**
7 **1-pentyl-3(1-naphthoyl)indole, and Phenol, CP 47, 497 & homologues, or**
8 **2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and**
9 **homologues where side chain n-4,6, or 7] or any synthetic cannabinoid** is guilty of a class C
10 felony.

11 3. Any person who violates this section with respect to not more than thirty-five grams
12 of marijuana[, Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-
13 yl)-6a,7,10,10 a-tetrahydrobenzo[c]chromen-1-ol, Indole, or 1-butyl-3(1-naphthoyl)indole,
14 Indole, or 1-pentyl-3(1-naphthoyl)indole, and Phenol, CP 47, 497 & homologues, or
15 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and
16 homologues where side chain n-4,6, or 7] **or any synthetic cannabinoid** is guilty of a class A
17 misdemeanor.

578.255. 1. As used in this section, "alcohol beverage vaporizer" means any device
2 which, by means of heat, a vibrating element, or any other method, is capable of producing a
3 breathable mixture containing one or more alcoholic beverages to be dispensed for inhalation
4 into the lungs via the nose or mouth or both.

5 2. No person shall intentionally or willfully induce the symptoms of intoxication, elation,
6 euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or

7 dulling of the senses or nervous system, distortion of audio, visual or mental processes by the
8 use or abuse of any [of] **substance not approved for human consumption by the Food and**
9 **Drug Administration, including but not limited to**, the following substances:

- 10 (1) Solvents, particularly toluol;
- 11 (2) Ethyl alcohol;
- 12 (3) Amyl nitrite and its iso-analogues;
- 13 (4) Butyl nitrite and its iso-analogues;
- 14 (5) Cyclohexyl nitrite and its iso-analogues;
- 15 (6) Ethyl nitrite and its iso-analogues;
- 16 (7) Pentyl nitrite and its iso-analogues; and
- 17 (8) Propyl nitrite and its iso-analogues.

18 3. This section shall not apply to substances that have been approved by the United
19 States Food and Drug Administration as therapeutic drug products or are contained in approved
20 over-the-counter drug products or administered lawfully pursuant to the order of an authorized
21 medical practitioner.

22 4. No person shall intentionally possess any solvent, particularly toluol, amyl nitrite,
23 butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, and propyl nitrite and their
24 iso-analogues for the purpose of using it in the manner prohibited by section 578.250 and this
25 section.

26 5. No person shall possess or use an alcoholic beverage vaporizer.

27 6. Nothing in this section shall be construed to prohibit the legal consumption of
28 intoxicating liquor, as defined by section 311.020, or nonintoxicating beer, as defined by section
29 312.010.