

FIRST REGULAR SESSION

HOUSE BILL NO. 365

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROORDA.

0247L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 195.017 and 195.417, RSMo, and to enact in lieu thereof one new section relating to the regulation of methamphetamine precursor substances, with penalty provisions.

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

Section A. Sections 195.017 and 195.417, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 195.017, to read as follows:

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

- (1) Has high potential for abuse; and
- (2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

- (1) The controlled substances listed in this subsection are included in Schedule I;
- (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (a) Acetyl-alpha-methylfentanyl;
- (b) Acetylmethadol;
- (c) Allylprodine;
- (d) Alphacetylmethadol;
- (e) Alphameprodine;
- (f) Alphamethadol;

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 (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) Etoxadine;
- 39 (cc) Furethidine;
- 40 (dd) Hydroxypethidine;
- 41 (ee) Ketobemidone;
- 42 (ff) Levomoramide;
- 43 (gg) Levophenacetylmorphan;
- 44 (hh) 3-Methylfentanyl;
- 45 (ii) 3-Methylthiofentanyl;
- 46 (jj) Morpheridine;
- 47 (kk) MPPP;
- 48 (ll) Noracetylmethadol;
- 49 (mm) Norlevorphanol;
- 50 (nn) Normethadone;
- 51 (oo) Norpipanone;
- 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) Hydromorphanol;
81 (m) Methyldesorphine;
82 (n) Methyldihydromorphine;
83 (o) Morphine methylbromide;
84 (p) Morphine methylsulfonate;
85 (q) Morphine-N-Oxide;
86 (r) Myrophine;
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 of
110 isomers;

111 (o) Alpha-ethyltryptamine;

112 (p) Alpha-methyltryptamine;

113 (q) Bufotenine;

114 (r) Diethyltryptamine;

115 (s) Dimethyltryptamine;

116 (t) 5-methoxy-N,N-diisopropyltryptamine;

117 (u) Ibogaine;

118 (v) Lysergic acid diethylamide;

119 (w) Marijuana or marihuana;

120 (x) Mescaline;

121 (y) Parahexyl;

122 (z) Peyote, to include all parts of the plant presently classified botanically as Lophophora
123 Williamsil Lemaire, whether growing or not; the seeds thereof; any extract from any part of such
124 plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant,
125 its seed or extracts;

126 (aa) N-ethyl-3-piperidyl benzilate;

127 (bb) N-methyl-3-piperidyl benzilate;

- 128 (cc) Psilocybin;
- 129 (dd) Psilocyn;
- 130 (ee) Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
- 131 (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis
- 132 plant, or in the resinous extractives of such plant, or synthetic substances, derivatives, and their
- 133 isomers with similar chemical structure and pharmacological activity to those substances
- 134 contained in the plant, such as the following:
- 135 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 136 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 137 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 138 d. Any compounds of these structures, regardless of numerical designation of atomic
- 139 positions covered;
- 140 (ff) Ethylamine analog of phencyclidine;
- 141 (gg) Pyrrolidine analog of phencyclidine;
- 142 (hh) Thiophene analog of phencyclidine;
- 143 (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 144 (jj) Salvia divinorum;
- 145 (kk) Salvinorin A;
- 146 (ll) Synthetic cannabinoids:
- 147 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 148 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by
- 149 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl
- 150 or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
- 151 extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited
- 152 to:
- 153 (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
- 154 (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
- 155 (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
- 156 (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
- 157 (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
- 158 (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
- 159 (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
- 160 (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
- 161 (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
- 162 (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
- 163 (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
- 164 (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

165 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the
166 nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
167 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
168 substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any
169 extent;

170 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution
171 at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
172 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
173 not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl
174 ring to any extent;

175 d. Any compound structurally derived from 3-phenylacetylindole by substitution at the
176 nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
177 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
178 substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any
179 extent. Including, but not limited to:

180 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;

181 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;

182 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;

183 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;

184 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

185 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by
186 substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
187 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
188 not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

189 (i) CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
190 yl)phenol), where side chain n=5, and homologues where side chain n=4,6, or 7;

191 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the
192 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
193 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
194 substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to
195 any extent. Including, but not limited to:

196 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;

197 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;

198 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-
199 yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

200 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
201 6a,7,10,10 a-tetrahydrobenzo[c]chromen-1-ol;

- 202 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
203 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- 204 j. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-
205 yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- 206 k. Dimethylheptylpyran, or DMHP;
- 207 (5) Any material, compound, mixture or preparation containing any quantity of the
208 following substances having a depressant effect on the central nervous system, including their
209 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
210 isomers is possible within the specific chemical designation:
- 211 (a) Gamma-hydroxybutyric acid;
- 212 (b) Mecloqualone;
- 213 (c) Methaqualone;
- 214 (6) Any material, compound, mixture or preparation containing any quantity of the
215 following substances having a stimulant effect on the central nervous system, including their
216 salts, isomers and salts of isomers:
- 217 (a) Aminorex;
- 218 (b) N-benzylpiperazine;
- 219 (c) Cathinone;
- 220 (d) Fenethylamine;
- 221 (e) 3-Fluoromethcathinone;
- 222 (f) 4-Fluoromethcathinone;
- 223 (g) Mephedrone, or 4-methylmethcathinone;
- 224 (h) Methcathinone;
- 225 (i) 4-methoxymethcathinone;
- 226 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 227 (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-
228 pyrrolidinyl)-1-pentanone);
- 229 (l) Methylone, or 3,4-Methylenedioxypropylamphetamine;
- 230 (m) 4-Methyl-alpha-pyrrolidinobutylphenone, or MPBP;
- 231 (n) N-ethylamphetamine;
- 232 (o) N,N-dimethylamphetamine;
- 233 (7) A temporary listing of substances subject to emergency scheduling under federal law
234 shall include any material, compound, mixture or preparation which contains any quantity of the
235 following substances:
- 236 (a) N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its optical isomers,
237 salts and salts of isomers;

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

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

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

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

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

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

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

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

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

256 a. Raw opium;

257 b. Opium extracts;

258 c. Opium fluid;

259 d. Powdered opium;

260 e. Granulated opium;

261 f. Tincture of opium;

262 g. Codeine;

263 h. Ethylmorphine;

264 i. Etorphine hydrochloride;

265 j. Hydrocodone;

266 k. Hydromorphone;

267 l. Metopon;

268 m. Morphine;

269 n. Oxycodone;

270 o. Oxymorphone;

271 p. Thebaine;

272 (b) Any salt, compound, derivative, or preparation thereof which is chemically
273 equivalent or identical with any of the substances referred to in this subdivision, but not
274 including the isoquinoline alkaloids of opium;

- 275 (c) Opium poppy and poppy straw;
- 276 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
277 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
278 with any of these substances, but not including decocainized coca leaves or extractions which
279 do not contain cocaine or ecgonine;
- 280 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
281 or powder form which contains the phenanthrene alkaloids of the opium poppy);
- 282 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
283 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within
284 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
- 285 (a) Alfentanil;
- 286 (b) Alphaprodine;
- 287 (c) Anileridine;
- 288 (d) Bezitramide;
- 289 (e) Bulk dextropropoxyphene;
- 290 (f) Carfentanil;
- 291 (g) Dihydrocodeine;
- 292 (h) Diphenoxylate;
- 293 (i) Fentanyl;
- 294 (j) Isomethadone;
- 295 (k) Levo-alphaacetylmethadol;
- 296 (l) Levomethorphan;
- 297 (m) Levorphanol;
- 298 (n) Metazocine;
- 299 (o) Methadone;
- 300 (p) Meperidine;
- 301 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- 302 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic
303 acid;
- 304 (s) Pethidine (meperidine);
- 305 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 306 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 307 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 308 (w) Phenazocine;
- 309 (x) Piminodine;
- 310 (y) Racemethorphan;
- 311 (z) Racemorphan;

- 312 (aa) Remifentanil;
- 313 (bb) Sufentanil;
- 314 (cc) Tapentadol;
- 315 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 316 following substances having a stimulant effect on the central nervous system:
- 317 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 318 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 319 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 320 (d) Phenmetrazine and its salts;
- 321 (e) Methylphenidate;
- 322 (4) Any material, compound, mixture, or preparation which contains any quantity of the
- 323 following substances having a depressant effect on the central nervous system, including its salts,
- 324 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
- 325 is possible within the specific chemical designation:
- 326 (a) Amobarbital;
- 327 (b) Glutethimide;
- 328 (c) Pentobarbital;
- 329 (d) Phencyclidine;
- 330 (e) Secobarbital;
- 331 (5) Any material or compound which contains any quantity of nabilone;
- 332 (6) Any material, compound, mixture, or preparation which contains any quantity of the
- 333 following substances:
- 334 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
- 335 (b) Immediate precursors to phencyclidine (PCP):
- 336 a. 1-phenylcyclohexylamine;
- 337 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 338 (7) Any material, compound, mixture, or preparation which contains any quantity of the
- 339 following alkyl nitrites:
- 340 (a) Amyl nitrite;
- 341 (b) Butyl nitrite.
- 342 5. The department of health and senior services shall place a substance in Schedule III
- 343 if it finds that:
- 344 (1) The substance has a potential for abuse less than the substances listed in Schedules
- 345 I and II;
- 346 (2) The substance has currently accepted medical use in treatment in the United States;
- 347 and

348 (3) Abuse of the substance may lead to moderate or low physical dependence or high
349 psychological dependence.

350 6. The controlled substances listed in this subsection are included in Schedule III:

351 (1) Any material, compound, mixture, or preparation which contains any quantity of the
352 following substances having a potential for abuse associated with a stimulant effect on the
353 central nervous system:

354 (a) Benzphetamine;

355 (b) Chlorphentermine;

356 (c) Clortermine;

357 (d) Phendimetrazine;

358 (2) Any material, compound, mixture or preparation which contains any quantity or salt
359 of the following substances or salts having a depressant effect on the central nervous system:

360 (a) Any material, compound, mixture or preparation which contains any quantity or salt
361 of the following substances combined with one or more active medicinal ingredients:

362 a. Amobarbital;

363 b. Secobarbital;

364 c. Pentobarbital;

365 (b) Any suppository dosage form containing any quantity or salt of the following:

366 a. Amobarbital;

367 b. Secobarbital;

368 c. Pentobarbital;

369 (c) Any substance which contains any quantity of a derivative of barbituric acid or its
370 salt;

371 (d) Chlorhexadol;

372 (e) Embutramide;

373 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
374 a drug product for which an application has been approved under Section 505 of the federal
375 Food, Drug, and Cosmetic Act;

376 (g) Ketamine, its salts, isomers, and salts of isomers;

377 (h) Lysergic acid;

378 (i) Lysergic acid amide;

379 (j) Methyprylon;

380 (k) Sulfondiethylmethane;

381 (l) Sulfonethylmethane;

382 (m) Sulfonmethane;

383 (n) Tiletamine and zolazepam or any salt thereof;

384 (3) Nalorphine;

385 (4) Any material, compound, mixture, or preparation containing limited quantities of any
386 of the following narcotic drugs or their salts:

387 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
388 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
389 of opium;

390 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
391 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
392 therapeutic amounts;

393 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
394 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
395 isoquinoline alkaloid of opium;

396 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
397 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic
398 ingredients in recognized therapeutic amounts;

399 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more
400 than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in
401 recognized therapeutic amounts;

402 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters
403 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic
404 ingredients in recognized therapeutic amounts;

405 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per
406 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more
407 active nonnarcotic ingredients in recognized therapeutic amounts;

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

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

413 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
414 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and
415 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is
416 expressly intended for administration through implants to cattle or other nonhuman species and
417 which has been approved by the Secretary of Health and Human Services for that administration.
418 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall
419 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
420 meaning of this subdivision. Unless specifically excepted or unless listed in another schedule,

421 any material, compound, mixture or preparation containing any quantity of the following
422 substances, including its salts, esters and ethers:

- 423 (a) $3\beta,17$ -dihydroxy-5 α -androstane;
- 424 (b) $3\alpha,17\beta$ -dihydroxy-5 α -androstane;
- 425 (c) 5 α -androstan-3,17-dione;
- 426 (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy-5 α -androst-1-ene);
- 427 (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy-5 α -androst-1-ene);
- 428 (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
- 429 (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
- 430 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
- 431 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 432 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 433 (k) Bolasterone (7 $\alpha,17\alpha$ -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 434 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
- 435 (m) Boldione;
- 436 (n) Calusterone (7 $\beta,17\alpha$ -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 437 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
- 438 (p) Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-
439 dien-3-one);
- 440 (q) Desoxymethyltestosterone;
- 441 (r) $\Delta 1$ -dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-3-one);
- 442 (s) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
- 443 (t) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
- 444 (u) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- 445 (v) Fluoxymesterone (9-fluoro-17 α -methyl-11 $\beta,17\beta$ -dihydroxyandrost-4-en-3-one);
- 446 (w) Formebolone (2-formyl-17 α -methyl-11 $\alpha,17\beta$ -dihydroxyandrost-1,4-dien-3-one);
- 447 (x) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);
- 448 (y) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
- 449 (z) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- 450 (aa) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- 451 (bb) Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);
- 452 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
- 453 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
- 454 (ee) Methandriol (17 α -methyl-3 $\beta,17\beta$ -dihydroxyandrost-5-ene);
- 455 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
- 456 (gg) 17 α -methyl-3 $\beta,17\beta$ -dihydroxy-5 α -androstane);
- 457 (hh) 17 α -methyl-3 $\alpha,17\beta$ -dihydroxy-5 α -androstane);

- 458 (ii) 17α -methyl- $3\beta,17\beta$ -dihydroxyandrost-4-ene;
- 459 (jj) 17α -methyl-4-hydroxynandrolone (17α -methyl-4-hydroxy- 17β -hydroxyestr-4-en-3-
- 460 one);
- 461 (kk) Methyldienolone (17α -methyl- 17β -hydroxyestra-4,9(10)-dien-3-one);
- 462 (ll) Methyltrienolone (17α -methyl- 17β -hydroxyestra-4,9-11-trien-3-one);
- 463 (mm) Methyltestosterone (17α -methyl- 17β -hydroxyandrost-4-en-3-one);
- 464 (nn) Mibolerone ($7\alpha,17\alpha$ -dimethyl- 17β -hydroxyestr-4-en-3-one);
- 465 (oo) 17α -methyl- $\Delta 1$ -dihydrotestosterone (17β -hydroxy- 17α -methyl- 5α -androst-1-en-3-
- 466 one) (a.k.a. '17- α -methyl-1-testosterone');
- 467 (pp) Nandrolone (17β -hydroxyestr-4-ene-3-one);
- 468 (qq) 19-nor-4-androstenediol ($3\beta,17\beta$ -dihydroxyestr-4-ene);
- 469 (rr) 19-nor-4-androstenediol ($3\alpha,17\beta$ -dihydroxyestr-4-ene);
- 470 (ss) 19-nor-4,9(10)-androstadienedione;
- 471 (tt) 19-nor-5-androstenediol ($3\beta,17\beta$ -dihydroxyestr-5-ene);
- 472 (uu) 19-nor-5-androstenediol ($3\alpha,17\beta$ -dihydroxyestr-5-ene);
- 473 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 474 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 475 (xx) Norbolethone ($13\beta,17\alpha$ -diethyl- 17β -hydroxygon-4-en-3-one);
- 476 (yy) Norclostebol (4-chloro- 17β -hydroxyestr-4-en-3-one);
- 477 (zz) Norethandrolone (17α -ethyl- 17β -hydroxyestr-4-en-3-one);
- 478 (aaa) Normethandrolone (17α -methyl- 17β -hydroxyestr-4-en-3-one);
- 479 (bbb) Oxandrolone (17α -methyl- 17β -hydroxy-2-oxa-[5α]-androstan-3-one);
- 480 (ccc) Oxymesterone (17α -methyl-4, 17β -dihydroxyandrost-4-en-3-one);
- 481 (ddd) Oxymethalone (17α -methyl-2-hydroxymethylene- 17β -hydroxy-[5α]-androstan-3-
- 482 one);
- 483 (eee) Stanozolol (17α -methyl- 17β -hydroxy-[5α]-androst-2-eno[3,2-c]-pyrazole);
- 484 (fff) Stenbolone (17β -hydroxy-2-methyl-[5α]-androst-1-en-3-one);
- 485 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
- 486 (hhh) Testosterone (17β -hydroxyandrost-4-en-3-one);
- 487 (iii) Tetrahydrogestrinone ($13\beta,17\alpha$ -diethyl- 17β -hydroxygon-4,9,11-trien-3-one);
- 488 (jjj) Trenbolone (17β -hydroxyestr-4,9,11-trien-3-one);
- 489 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this
- 490 subdivision, except an anabolic steroid which is expressly intended for administration through
- 491 implants to cattle or other nonhuman species and which has been approved by the Secretary of
- 492 Health and Human Services for that administration;
- 493 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
- 494 United States Food and Drug Administration approved drug product;

495 **(8) Any compound, mixture, or preparation containing any detectable quantity of**
496 **ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical**
497 **isomers, or salts of optical isomers, except that dietary supplements, herbs, or natural**
498 **products, including concentrates or extracts, that are not otherwise prohibited by law and**
499 **that contain naturally occurring ephedrine alkaloids in a matrix of organic material such**
500 **that the substances do not exceed fifteen percent of the total weight of the dietary**
501 **supplement, herb, or natural product;**

502 **(9) Upon written application of a manufacturer, the department of health and**
503 **senior services may, exempt by rule, any product containing any compound, mixture, or**
504 **preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or**
505 **pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers from**
506 **the application of all or any part of sections 195.010 to 195.320 because the product is**
507 **formulated to effectively prevent conversion of the active ingredient into**
508 **methamphetamine or its salts or precursors. Upon notification from the state highway**
509 **patrol that the patrol has probable cause to believe that a product exempted under this**
510 **subdivision does not effectively prevent conversion of the active ingredient into**
511 **methamphetamine or its salts or precursors, the department may issue an emergency rule**
512 **revoking the exemption for the product pending a full hearing;**

513 **(10) The department of health and senior services may except by rule any compound,**
514 **mixture, or preparation containing any stimulant or depressant substance listed in subdivisions**
515 **(1) and (2) of this subsection from the application of all or any part of sections 195.010 to**
516 **195.320 if the compound, mixture, or preparation contains one or more active medicinal**
517 **ingredients not having a stimulant or depressant effect on the central nervous system, and if the**
518 **admixtures are included therein in combinations, quantity, proportion, or concentration that**
519 **vitate the potential for abuse of the substances which have a stimulant or depressant effect on**
520 **the central nervous system.**

521 7. The department of health and senior services shall place a substance in Schedule IV
522 if it finds that:

523 (1) The substance has a low potential for abuse relative to substances in Schedule III;

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

525 and

526 (3) Abuse of the substance may lead to limited physical dependence or psychological
527 dependence relative to the substances in Schedule III.

528 8. The controlled substances listed in this subsection are included in Schedule IV:

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

532 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms
533 of atropine sulfate per dosage unit;

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

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

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

542 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
543 or per one hundred grams;

544 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
545 or per one hundred grams;

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

549 (a) Alprazolam;

550 (b) Barbitol;

551 (c) Bromazepam;

552 (d) Camazepam;

553 (e) Chloral betaine;

554 (f) Chloral hydrate;

555 (g) Chlordiazepoxide;

556 (h) Clobazam;

557 (i) Clonazepam;

558 (j) Clorazepate;

559 (k) Clotiazepam;

560 (l) Cloxazolam;

561 (m) Delorazepam;

562 (n) Diazepam;

563 (o) Dichloralphenazone;

564 (p) Estazolam;

565 (q) Ethchlorvynol;

566 (r) Ethinamate;

567 (s) Ethyl loflazepate;

568 (t) Fludiazepam;

- 569 (u) Flunitrazepam;
- 570 (v) Flurazepam;
- 571 (w) Fospropofol;
- 572 (x) Halazepam;
- 573 (y) Haloxazolam;
- 574 (z) Ketazolam;
- 575 (aa) Loprazolam;
- 576 (bb) Lorazepam;
- 577 (cc) Lormetazepam;
- 578 (dd) Mebutamate;
- 579 (ee) Medazepam;
- 580 (ff) Meprobamate;
- 581 (gg) Methohexital;
- 582 (hh) Methylphenobarbital (mephobarbital);
- 583 (ii) Midazolam;
- 584 (jj) Nimetazepam;
- 585 (kk) Nitrazepam;
- 586 (ll) Nordiazepam;
- 587 (mm) Oxazepam;
- 588 (nn) Oxazolam;
- 589 (oo) Paraldehyde;
- 590 (pp) Petrichloral;
- 591 (qq) Phenobarbital;
- 592 (rr) Pinazepam;
- 593 (ss) Prazepam;
- 594 (tt) Quazepam;
- 595 (uu) Temazepam;
- 596 (vv) Tetrazepam;
- 597 (ww) Triazolam;
- 598 (xx) Zaleplon;
- 599 (yy) Zolpidem;
- 600 (zz) Zopiclone;
- 601 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 602 following substance including its salts, isomers and salts of isomers whenever the existence of
- 603 such salts, isomers and salts of isomers is possible: fenfluramine;

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

- 607 (a) Cathine ((+)-norpseudoephedrine);
- 608 (b) Diethylpropion;
- 609 (c) Fencamfamin;
- 610 (d) Fenproporex;
- 611 (e) Mazindol;
- 612 (f) Mefenorex;
- 613 (g) Modafinil;
- 614 (h) Pemoline, including organometallic complexes and chelates thereof;
- 615 (i) Phentermine;
- 616 (j) Pipradrol;
- 617 (k) Sibutramine;
- 618 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

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

- 621 (a) butorphanol;
- 622 (b) pentazocine;
- 623 (6) [Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance
624 is the only active medicinal ingredient;

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

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

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

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

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

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

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

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

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

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

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

655 (3) [Any compound, mixture, or preparation containing any detectable quantity of
656 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
657 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
658 isomers, or salts of optical isomers;

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

662 (a) Lacosamide;

663 (b) Pregabalin.

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

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

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

676 (3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require
677 any person, prior to their purchasing, receiving or otherwise acquiring such compound, mixture,

678 or preparation to furnish suitable photo identification that is issued by a state or the federal
679 government or a document that, with respect to identification, is considered acceptable and
680 showing the date of birth of the person;

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

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

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

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

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

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

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

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

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

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

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

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

712 19.] **12.** The department of health and senior services shall revise and republish the
713 schedules annually.

714 [20. The department of health and senior services shall promulgate rules under chapter
715 536 regarding the security and storage of Schedule V controlled substances, as described in
716 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
717 of health and senior services.

718 21. Logs of transactions required to be kept and maintained by this section and section
719 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
720 the person whose transactions are recorded in the logs.]

[195.417. 1. The limits specified in this section shall not apply to any
2 quantity of such product, mixture, or preparation which must be dispensed, sold,
3 or distributed in a pharmacy pursuant to a valid prescription.

4 2. Within any thirty-day period, no person shall sell, dispense, or
5 otherwise provide to the same individual, and no person shall purchase, receive,
6 or otherwise acquire more than the following amount: any number of packages
7 of any drug product containing any detectable amount of ephedrine,
8 phenylpropanolamine, or pseudoephedrine, or any of their salts or optical
9 isomers, or salts of optical isomers, either as:

10 (1) The sole active ingredient; or

11 (2) One of the active ingredients of a combination drug; or

12 (3) A combination of any of the products specified in subdivisions (1)
13 and (2) of this subsection;

14 in any total amount greater than nine grams, without regard to the number of
15 transactions.

16 3. Within any twenty-four-hour period, no pharmacist, intern pharmacist,
17 or registered pharmacy technician shall sell, dispense, or otherwise provide to the
18 same individual, and no person shall purchase, receive, or otherwise acquire more
19 than the following amount: any number of packages of any drug product
20 containing any detectable amount of ephedrine, phenylpropanolamine, or
21 pseudoephedrine, or any of their salts or optical isomers, or salts of optical
22 isomers, either as:

23 (1) The sole active ingredient; or

24 (2) One of the active ingredients of a combination drug; or

25 (3) A combination of any of the products specified in subdivisions (1)
26 and (2) of this subsection;

27 in any total amount greater than three and six-tenths grams without regard to the
28 number of transactions.

29 4. All packages of any compound, mixture, or preparation containing any
30 detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or
31 any of their salts or optical isomers, or salts of optical isomers, except those that
32 are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall
33 be offered for sale only from behind a pharmacy counter where the public is not
34 permitted, and only by a registered pharmacist or registered pharmacy technician
35 under section 195.017.

36 5. Each pharmacy shall submit information regarding sales of any
37 compound, mixture, or preparation as specified in this section in accordance with
38 transmission methods and frequency established by the department by regulation.

39 6. This section shall supersede and preempt any local ordinances or
40 regulations, including any ordinances or regulations enacted by any political
41 subdivision of the state. This section shall not apply to the sale of any animal
42 feed products containing ephedrine or any naturally occurring or herbal ephedra
43 or extract of ephedra.

44 7. All logs, records, documents, and electronic information maintained
45 for the dispensing of these products shall be open for inspection and copying by
46 municipal, county, and state or federal law enforcement officers whose duty it is
47 to enforce the controlled substances laws of this state or the United States.

48 8. Within thirty days of June 15, 2005, all persons who dispense or offer
49 for sale pseudoephedrine and ephedrine products, except those that are excluded
50 from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all
51 such products are located only behind a pharmacy counter where the public is not
52 permitted.

53 9. Any person who knowingly or recklessly violates this section is guilty
54 of a class A misdemeanor.]

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