

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2038

98TH GENERAL ASSEMBLY

5338H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 195.010 and 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and sections 195.010 and 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to industrial hemp, with penalty provisions.

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

Section A. Sections 195.010 and 195.017 as enacted by senate bill no. 491, 2 ninety-seventh general assembly, second regular session, and sections 195.010 and 195.017 as 3 enacted by house bill no. 641, ninety-sixth general assembly, first regular session are repealed 4 and seven new sections enacted in lieu thereof, to be known as sections 195.010, 195.017, 5 195.203, 195.600, 195.603, 195.606, and 195.609, to read as follows:

195.010. The following words and phrases as used in this chapter and chapter 579, 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 or her 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 or her presence, by his or her 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,

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.

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 this chapter;

17 (5) "Controlled substance", a drug, substance, or immediate precursor in Schedules I
18 through V listed in this chapter;

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. Section 355) to the
31 extent conduct with respect to the substance is pursuant to the exemption; or any substance to
32 the extent not intended for human consumption before such an exemption takes effect with
33 respect to the 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. Section 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 this
86 chapter or chapter 579. 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;
- 134 In determining whether an object, product, substance or material is drug paraphernalia, a court
135 or other authority should consider, in addition to all other logically relevant factors, the
136 following:
- 137 a. Statements by an owner or by anyone in control of the object concerning its use;
- 138 b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any
139 state or federal law relating to any controlled substance or imitation controlled substance;
- 140 c. The proximity of the object, in time and space, to a direct violation of this chapter or
141 chapter 579;
- 142 d. The proximity of the object to controlled substances or imitation controlled
143 substances;
- 144 e. The existence of any residue of controlled substances or imitation controlled
145 substances on the object;
- 146 f. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of
147 the object, to deliver it to persons who he or she knows, or should reasonably know, intend to
148 use the object to facilitate a violation of this chapter or chapter 579; the innocence of an owner,
149 or of anyone in control of the object, as to direct violation of this chapter or chapter 579 shall not
150 prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
- 151 g. Instructions, oral or written, provided with the object concerning its use;
- 152 h. Descriptive materials accompanying the object which explain or depict its use;
- 153 i. National or local advertising concerning its use;
- 154 j. The manner in which the object is displayed for sale;
- 155 k. Whether the owner, or anyone in control of the object, is a legitimate supplier of like
156 or related items to the community, such as a licensed distributor or dealer of tobacco products;

- 157 l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of
158 the business enterprise;
- 159 m. The existence and scope of legitimate uses for the object in the community;
- 160 n. Expert testimony concerning its use;
- 161 o. The quantity, form or packaging of the product, substance or material in relation to
162 the quantity, form or packaging associated with any legitimate use for the product, substance or
163 material;
- 164 (18) "Federal narcotic laws", the laws of the United States relating to controlled
165 substances;
- 166 (19) "Hospital", a place devoted primarily to the maintenance and operation of facilities
167 for the diagnosis, treatment or care, for not less than twenty-four hours in any week, of three or
168 more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal
169 physical conditions; or a place devoted primarily to provide, for not less than twenty-four
170 consecutive hours in any week, medical or nursing care for three or more nonrelated individuals.
171 The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined
172 in chapter 198;
- 173 (20) "Immediate precursor", a substance which:
- 174 (a) The state department of health and senior services has found to be and by rule
175 designates as being the principal compound commonly used or produced primarily for use in the
176 manufacture of a controlled substance;
- 177 (b) Is an immediate chemical intermediary used or likely to be used in the manufacture
178 of a controlled substance; and
- 179 (c) The control of which is necessary to prevent, curtail or limit the manufacture of the
180 controlled substance;
- 181 (21) "Imitation controlled substance", a substance that is not a controlled substance,
182 which by dosage unit appearance (including color, shape, size and markings), or by
183 representations made, would lead a reasonable person to believe that the substance is a controlled
184 substance. In determining whether the substance is an imitation controlled substance the court
185 or authority concerned should consider, in addition to all other logically relevant factors, the
186 following:
- 187 (a) Whether the substance was approved by the federal Food and Drug Administration
188 for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and
189 Drug Administration approved package, with the federal Food and Drug Administration
190 approved labeling information;
- 191 (b) Statements made by an owner or by anyone else in control of the substance
192 concerning the nature of the substance, or its use or effect;

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

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

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

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

204 (22) "**Industrial hemp**":

205 (a) **All nonseed parts and varieties of the cannabis sativa plant, growing or not, that**
206 **contain a cropwide average tetrahydrocannabinol (THC) concentration that does not**
207 **exceed three-tenths of one percent on a dry weight basis; or**

208 (b) **Any cannabis sativa seed that is part of a growing crop, retained by a grower**
209 **for future planting, or used for processing into or use as agricultural hemp seed.**

210

211 **Industrial hemp does not include industrial hemp commodities and products;**

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

215 [(23)] (24) "Manufacture", the production, preparation, propagation, compounding or
216 processing of drug paraphernalia or of a controlled substance, or an imitation controlled
217 substance, either directly or by extraction from substances of natural origin, or independently by
218 means of chemical synthesis, or by a combination of extraction and chemical synthesis, and
219 includes any packaging or repackaging of the substance or labeling or relabeling of its container.
220 This term does not include the preparation or compounding of a controlled substance or an
221 imitation controlled substance or the preparation, compounding, packaging or labeling of a
222 narcotic or dangerous drug:

223 (a) By a practitioner as an incident to his or her administering or dispensing of a
224 controlled substance or an imitation controlled substance in the course of his or her professional
225 practice, or

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

228 [(24)] **(25)** "Marijuana", all parts of the plant genus Cannabis in any species or form
229 thereof, including, but not limited to Cannabis Sativa L., **except industrial hemp as defined in**
230 **this section**, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea,
231 whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and
232 every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or
233 resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or
234 cake made from the seeds of the plant, any other compound, manufacture, salt, derivative,
235 mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or
236 cake, or the sterilized seed of the plant which is incapable of germination;

237 [(25)] **(26)** "Methamphetamine precursor drug", any drug containing ephedrine,
238 pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical
239 isomers;

240 [(26)] **(27)** "Narcotic drug", any of the following, whether produced directly or indirectly
241 by extraction from substances of vegetable origin, or independently by means of chemical
242 synthesis, or by a combination of extraction and chemical analysis:

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

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

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

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

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

253 [(27)] **(28)** "Official written order", an order written on a form provided for that purpose
254 by the United States Commissioner of Narcotics, under any laws of the United States making
255 provision therefor, if such order forms are authorized and required by federal law, and if no such
256 order form is provided, then on an official form provided for that purpose by the department of
257 health and senior services;

258 [(28)] **(29)** "Opiate", any substance having an addiction-forming or addiction-sustaining
259 liability similar to morphine or being capable of conversion into a drug having addiction-forming
260 or addiction-sustaining liability. The term includes its racemic and levorotatory forms. It does
261 not include, unless specifically controlled under section 195.017, the dextrorotatory isomer of
262 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

263 [(29)] (30) "Opium poppy", the plant of the species *Papaver somniferum* L., except its
264 seeds;

265 [(30)] (31) "Over-the-counter sale", a retail sale licensed pursuant to chapter 144 of a
266 drug other than a controlled substance;

267 [(31)] (32) "Person", an individual, corporation, government or governmental
268 subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any
269 other legal or commercial entity;

270 [(32)] (33) "Pharmacist", a licensed pharmacist as defined by the laws of this state, and
271 where the context so requires, the owner of a store or other place of business where controlled
272 substances are compounded or dispensed by a licensed pharmacist; but nothing in this chapter
273 shall be construed as conferring on a person who is not registered nor licensed as a pharmacist
274 any authority, right or privilege that is not granted to him by the pharmacy laws of this state;

275 [(33)] (34) "Poppy straw", all parts, except the seeds, of the opium poppy, after mowing;

276 [(34)] (35) "Possessed" or "possessing a controlled substance", a person, with the
277 knowledge of the presence and nature of a substance, has actual or constructive possession of
278 the substance. A person has actual possession if he has the substance on his or her person or
279 within easy reach and convenient control. A person who, although not in actual possession, has
280 the power and the intention at a given time to exercise dominion or control over the substance
281 either directly or through another person or persons is in constructive possession of it.
282 Possession may also be sole or joint. If one person alone has possession of a substance
283 possession is sole. If two or more persons share possession of a substance, possession is joint;

284 [(35)] (36) "Practitioner", a physician, dentist, optometrist, podiatrist, veterinarian,
285 scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise
286 permitted by this state to distribute, dispense, conduct research with respect to or administer or
287 to use in teaching or chemical analysis, a controlled substance in the course of professional
288 practice or research in this state, or a pharmacy, hospital or other institution licensed, registered,
289 or otherwise permitted to distribute, dispense, conduct research with respect to or administer a
290 controlled substance in the course of professional practice or research;

291 [(36)] (37) "Production", includes the manufacture, planting, cultivation, growing, or
292 harvesting of drug paraphernalia or of a controlled substance or an imitation controlled
293 substance;

294 [(37)] (38) "Registry number", the number assigned to each person registered under the
295 federal controlled substances laws;

296 [(38)] (39) "Sale", includes barter, exchange, or gift, or offer therefor, and each such
297 transaction made by any person, whether as principal, proprietor, agent, servant or employee;

298 [(39)] (40) "State" when applied to a part of the United States, includes any state,
299 district, commonwealth, territory, insular possession thereof, and any area subject to the legal
300 authority of the United States of America;

301 [(40)] (41) "Synthetic cannabinoid", includes unless specifically excepted or unless
302 listed in another schedule, any natural or synthetic material, compound, mixture, or preparation
303 that contains any quantity of a substance that is a cannabinoid receptor agonist, including but not
304 limited to any substance listed in paragraph (II) of subdivision (4) of subsection 2 of section
305 195.017 and any analogues; homologues; isomers, whether optical, positional, or geometric;
306 esters; ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of the
307 isomers, esters, ethers, or salts is possible within the specific chemical designation, however, it
308 shall not include any approved pharmaceutical authorized by the United States Food and Drug
309 Administration;

310 [(41)] (42) "Ultimate user", a person who lawfully possesses a controlled substance or
311 an imitation controlled substance for his or her own use or for the use of a member of his or her
312 household or immediate family, regardless of whether they live in the same household, or for
313 administering to an animal owned by him or by a member of his or her household. For purposes
314 of this section, the phrase "immediate family" means a husband, wife, parent, child, sibling,
315 stepparent, stepchild, stepbrother, stepsister, grandparent, or grandchild;

316 [(42)] (43) "Wholesaler", a person who supplies drug paraphernalia or controlled
317 substances or imitation controlled substances that he himself has not produced or prepared, on
318 official written orders, but not on prescriptions.

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;
- 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 of
146 the object, to deliver it to persons who he knows, or should reasonably know, intend to use the
147 object to facilitate a violation of sections 195.005 to 195.425; the innocence of an owner, or of
148 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 of
157 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) **"Industrial hemp":**

204 (a) **All nonseed parts and varieties of the cannabis sativa plant, growing or not, that**
205 **contain a cropwide average tetrahydrocannabinol (THC) concentration that does not**
206 **exceed three-tenths of one percent on a dry weight basis; or**

207 (b) **Any cannabis sativa seed that is part of a growing crop, retained by a grower**
208 **for future planting, or used for processing into or use as agricultural hemp seed.**

209

210 **Industrial hemp does not include industrial hemp commodities and products;**

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

214 [(23)] (24) "Manufacture", the production, preparation, propagation, compounding or
215 processing of drug paraphernalia or of a controlled substance, or an imitation controlled
216 substance, either directly or by extraction from substances of natural origin, or independently by
217 means of chemical synthesis, or by a combination of extraction and chemical synthesis, and
218 includes any packaging or repackaging of the substance or labeling or relabeling of its container.
219 This term does not include the preparation or compounding of a controlled substance or an
220 imitation controlled substance or the preparation, compounding, packaging or labeling of a
221 narcotic or dangerous drug:

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

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

226 [(24)] (25) "Marijuana", all parts of the plant genus Cannabis in any species or form
227 thereof, including, but not limited to Cannabis Sativa L., **except industrial hemp as defined in**

228 **this section**, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea,
229 whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and
230 every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or
231 resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or
232 cake made from the seeds of the plant, any other compound, manufacture, salt, derivative,
233 mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or
234 cake, or the sterilized seed of the plant which is incapable of germination;

235 [(25)] **(26)** "Methamphetamine precursor drug", any drug containing ephedrine,
236 pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical
237 isomers;

238 [(26)] **(27)** "Narcotic drug", any of the following, whether produced directly or indirectly
239 by extraction from substances of vegetable origin, or independently by means of chemical
240 synthesis, or by a combination of extraction and chemical analysis:

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

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

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

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

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

251 [(27)] **(28)** "Official written order", an order written on a form provided for that purpose
252 by the United States Commissioner of Narcotics, under any laws of the United States making
253 provision therefor, if such order forms are authorized and required by federal law, and if no such
254 order form is provided, then on an official form provided for that purpose by the department of
255 health and senior services;

256 [(28)] **(29)** "Opiate", any substance having an addiction-forming or addiction-sustaining
257 liability similar to morphine or being capable of conversion into a drug having addiction-forming
258 or addiction-sustaining liability. The term includes its racemic and levorotatory forms. It does
259 not include, unless specifically controlled under section 195.017, the dextrorotatory isomer of
260 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

261 [(29)] **(30)** "Opium poppy", the plant of the species *Papaver somniferum* L., except its
262 seeds;

263 [(30)] (31) "Over-the-counter sale", a retail sale licensed pursuant to chapter 144 of a
264 drug other than a controlled substance;

265 [(31)] (32) "Person", an individual, corporation, government or governmental
266 subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any
267 other legal or commercial entity;

268 [(32)] (33) "Pharmacist", a licensed pharmacist as defined by the laws of this state, and
269 where the context so requires, the owner of a store or other place of business where controlled
270 substances are compounded or dispensed by a licensed pharmacist; but nothing in sections
271 195.005 to 195.425 shall be construed as conferring on a person who is not registered nor
272 licensed as a pharmacist any authority, right or privilege that is not granted to him by the
273 pharmacy laws of this state;

274 [(33)] (34) "Poppy straw", all parts, except the seeds, of the opium poppy, after mowing;

275 [(34)] (35) "Possessed" or "possessing a controlled substance", a person, with the
276 knowledge of the presence and nature of a substance, has actual or constructive possession of
277 the substance. A person has actual possession if he has the substance on his person or within
278 easy reach and convenient control. A person who, although not in actual possession, has the
279 power and the intention at a given time to exercise dominion or control over the substance either
280 directly or through another person or persons is in constructive possession of it. Possession may
281 also be sole or joint. If one person alone has possession of a substance possession is sole. If two
282 or more persons share possession of a substance, possession is joint;

283 [(35)] (36) "Practitioner", a physician, dentist, optometrist, podiatrist, veterinarian,
284 scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise
285 permitted by this state to distribute, dispense, conduct research with respect to or administer or
286 to use in teaching or chemical analysis, a controlled substance in the course of professional
287 practice or research in this state, or a pharmacy, hospital or other institution licensed, registered,
288 or otherwise permitted to distribute, dispense, conduct research with respect to or administer a
289 controlled substance in the course of professional practice or research;

290 [(36)] (37) "Production", includes the manufacture, planting, cultivation, growing, or
291 harvesting of drug paraphernalia or of a controlled substance or an imitation controlled
292 substance;

293 [(37)] (38) "Registry number", the number assigned to each person registered under the
294 federal controlled substances laws;

295 [(38)] (39) "Sale", includes barter, exchange, or gift, or offer therefor, and each such
296 transaction made by any person, whether as principal, proprietor, agent, servant or employee;

297 [(39)] (40) "State" when applied to a part of the United States, includes any state,
298 district, commonwealth, territory, insular possession thereof, and any area subject to the legal
299 authority of the United States of America;

300 [(40)] (41) "Synthetic cannabinoid", includes unless specifically excepted or unless
301 listed in another schedule, any natural or synthetic material, compound, mixture, or preparation
302 that contains any quantity of a substance that is a cannabinoid receptor agonist, including but not
303 limited to any substance listed in paragraph (II) of subdivision (4) of subsection 2 of section
304 195.017 and any analogues, homologues; isomers, whether optical, positional, or geometric;
305 esters; ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of the
306 isomers, esters, ethers, or salts is possible within the specific chemical designation, however, it
307 shall not include any approved pharmaceutical authorized by the United States Food and Drug
308 Administration;

309 [(41)] (42) "Ultimate user", a person who lawfully possesses a controlled substance or
310 an imitation controlled substance for his own use or for the use of a member of his household
311 or for administering to an animal owned by him or by a member of his household;

312 [(42)] (43) "Wholesaler", a person who supplies drug paraphernalia or controlled
313 substances or imitation controlled substances that he himself has not produced or prepared, on
314 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) Levophenacetylmorphan;
- 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) 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, **except industrial hemp as defined in section 195.010**;
- 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), **except industrial hemp as defined in section 195.010**, as well as synthetic
- 132 equivalents of the substances contained in the cannabis plant, or in the resinous extractives of
- 133 such plant, or synthetic substances, derivatives, and their isomers with similar chemical structure
- 134 and pharmacological activity to those substances 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-piperidiny)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
190 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and
191 homologues where side chain n=4,6, or 7;
- 192 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the
193 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
194 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
195 substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to
196 any extent. Including, but not limited to:
- 197 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
198 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;

- 199 g. CP 50,556-1, or
200 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl] oxy-5,6,6a,7,8,9,10,
201 10a-octahydrophenanthridin-1-yl] acetate;
- 202 h. HU-210, or
203 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10
204 a-tetrahydrobenzo[c]chromen-1-ol;
- 205 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
206 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- 207 j. CP 50,556-1, or
208 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl] oxy-5,6,6a,7,8,9,10,
209 10a-octahydrophenanthridin-1-yl] acetate;
- 210 k. Dimethylheptylpyran, or DMHP;
- 211 (5) Any material, compound, mixture or preparation containing any quantity of the
212 following substances having a depressant effect on the central nervous system, including their
213 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
214 isomers is possible within the specific chemical designation:
- 215 (a) Gamma-hydroxybutyric acid;
- 216 (b) Mecloqualone;
- 217 (c) Methaqualone;
- 218 (6) Any material, compound, mixture or preparation containing any quantity of the
219 following substances having a stimulant effect on the central nervous system, including their
220 salts, isomers and salts of isomers:
- 221 (a) Aminorex;
- 222 (b) N-benzylpiperazine;
- 223 (c) Cathinone;
- 224 (d) Fenethylamine;
- 225 (e) 3-Fluoromethcathinone;
- 226 (f) 4-Fluoromethcathinone;
- 227 (g) Mephedrone, or 4-methylmethcathinone;
- 228 (h) Methcathinone;
- 229 (i) 4-methoxymethcathinone;
- 230 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 231 (k) Methylenedioxypropylamphetamine, MDPV, or
232 (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone);
- 233 (l) Methylone, or 3,4-Methylenedioxypropylamphetamine;
- 234 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;

- 235 (n) N-ethylamphetamine;
- 236 (o) N,N-dimethylamphetamine;
- 237 (7) A temporary listing of substances subject to emergency scheduling under federal law
- 238 shall include any material, compound, mixture or preparation which contains any quantity of the
- 239 following substances:
- 240 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its optical isomers,
- 241 salts and salts of isomers;
- 242 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its
- 243 optical isomers, salts and salts of isomers;
- 244 (8) Khat, to include all parts of the plant presently classified botanically as *catha edulis*,
- 245 whether growing or not; the seeds thereof; any extract from any part of such plant; and every
- 246 compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.
- 247 3. The department of health and senior services shall place a substance in Schedule II
- 248 if it finds that:
- 249 (1) The substance has high potential for abuse;
- 250 (2) The substance has currently accepted medical use in treatment in the United States,
- 251 or currently accepted medical use with severe restrictions; and
- 252 (3) The abuse of the substance may lead to severe psychic or physical dependence.
- 253 4. The controlled substances listed in this subsection are included in Schedule II:
- 254 (1) Any of the following substances whether produced directly or indirectly by extraction
- 255 from substances of vegetable origin, or independently by means of chemical synthesis, or by
- 256 combination of extraction and chemical synthesis:
- 257 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or
- 258 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
- 259 nalmefene, naloxone and naltrexone, and their respective salts but including the following:
- 260 a. Raw opium;
- 261 b. Opium extracts;
- 262 c. Opium fluid;
- 263 d. Powdered opium;
- 264 e. Granulated opium;
- 265 f. Tincture of opium;
- 266 g. Codeine;
- 267 h. Ethylmorphine;
- 268 i. Etorphine hydrochloride;
- 269 j. Hydrocodone;
- 270 k. Hydromorphone;

- 271 l. Metopon;
272 m. Morphine;
273 n. Oxycodone;
274 o. Oxymorphone;
275 p. Thebaine;
- 276 (b) Any salt, compound, derivative, or preparation thereof which is chemically
277 equivalent or identical with any of the substances referred to in this subdivision, but not
278 including the isoquinoline alkaloids of opium;
- 279 (c) Opium poppy and poppy straw;
- 280 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
281 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
282 with any of these substances, but not including decocainized coca leaves or extractions which
283 do not contain cocaine or ecgonine;
- 284 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
285 or powder form which contains the phenanthrene alkaloids of the opium poppy);
- 286 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
287 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within
288 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
- 289 (a) Alfentanil;
290 (b) Alphaprodine;
291 (c) Anileridine;
292 (d) Bezitramide;
293 (e) Bulk dextropropoxyphene;
294 (f) Carfentanil;
295 (g) Dihydrocodeine;
296 (h) Diphenoxylate;
297 (i) Fentanyl;
298 (j) Isomethadone;
299 (k) Levo-alphaacetylmethadol;
300 (l) Levomethorphan;
301 (m) Levorphanol;
302 (n) Metazocine;
303 (o) Methadone;
304 (p) Meperidine;
305 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

- 306 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, [1-diphenylpropane--carboxylic
307 acid] **1-diphenylpropane-carboxylic acid**;
- 308 (s) Pethidine (meperidine);
- 309 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 310 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 311 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 312 (w) Phenazocine;
- 313 (x) Piminodine;
- 314 (y) Racemethorphan;
- 315 (z) Racemorphan;
- 316 (aa) Remifentanil;
- 317 (bb) Sufentanil;
- 318 (cc) Tapentadol;
- 319 (3) Any material, compound, mixture, or preparation which contains any quantity of the
320 following substances having a stimulant effect on the central nervous system:
- 321 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 322 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 323 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 324 (d) Phenmetrazine and its salts;
- 325 (e) Methylphenidate;
- 326 (4) Any material, compound, mixture, or preparation which contains any quantity of the
327 following substances having a depressant effect on the central nervous system, including its salts,
328 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
329 is possible within the specific chemical designation:
- 330 (a) Amobarbital;
- 331 (b) Glutethimide;
- 332 (c) Pentobarbital;
- 333 (d) Phencyclidine;
- 334 (e) Secobarbital;
- 335 (5) Any material or compound which contains any quantity of nabilone;
- 336 (6) Any material, compound, mixture, or preparation which contains any quantity of the
337 following substances:
- 338 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
- 339 (b) Immediate precursors to phencyclidine (PCP):
- 340 a. 1-phenylcyclohexylamine;
- 341 b. 1-piperidinocyclohexanecarbonitrile (PCC);

342 (7) Any material, compound, mixture, or preparation which contains any quantity of the
343 following alkyl nitrites:

344 (a) Amyl nitrite;

345 (b) Butyl nitrite.

346 5. The department of health and senior services shall place a substance in Schedule III
347 if it finds that:

348 (1) The substance has a potential for abuse less than the substances listed in Schedules
349 I and II;

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

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

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

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

358 (a) Benzphetamine;

359 (b) Chlorphentermine;

360 (c) Clortermine;

361 (d) Phendimetrazine;

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

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

366 a. Amobarbital;

367 b. Secobarbital;

368 c. Pentobarbital;

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

370 a. Amobarbital;

371 b. Secobarbital;

372 c. Pentobarbital;

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

375 (d) Chlorhexadol;

376 (e) Embutramide;

- 377 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
378 a drug product for which an application has been approved under Section 505 of the federal
379 Food, Drug, and Cosmetic Act;
- 380 (g) Ketamine, its salts, isomers, and salts of isomers;
- 381 (h) Lysergic acid;
- 382 (i) Lysergic acid amide;
- 383 (j) Methyprylon;
- 384 (k) Sulfondiethylmethane;
- 385 (l) Sulfonethylmethane;
- 386 (m) Sulfonmethane;
- 387 (n) Tiletamine and zolazepam or any salt thereof;
- 388 (3) Nalorphine;
- 389 (4) Any material, compound, mixture, or preparation containing limited quantities of any
390 of the following narcotic drugs or their salts:
- 391 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
392 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
393 of opium;
- 394 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
395 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
396 therapeutic amounts;
- 397 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
398 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
399 isoquinoline alkaloid of opium;
- 400 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
401 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic
402 ingredients in recognized therapeutic amounts;
- 403 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more
404 than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in
405 recognized therapeutic amounts;
- 406 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters
407 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic
408 ingredients in recognized therapeutic amounts;
- 409 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per
410 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more
411 active nonnarcotic ingredients in recognized therapeutic amounts;

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

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

417 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
418 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and
419 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is
420 expressly intended for administration through implants to cattle or other nonhuman species and
421 which has been approved by the Secretary of Health and Human Services for that administration.
422 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall
423 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
424 meaning of this subdivision. Unless specifically excepted or unless listed in another schedule,
425 any material, compound, mixture or preparation containing any quantity of the following
426 substances, including its salts, esters and ethers:

- 427 (a) $3\beta,17$ -dihydroxy- 5α -androstane;
428 (b) $3\alpha,17\beta$ -dihydroxy- 5α -androstane;
429 (c) 5α -androstan- $3,17$ -dione;
430 (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy- 5α -androst-1-ene);
431 (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy- 5α -androst-1-ene);
432 (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
433 (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
434 (h) 1-androstenedione ($[5\alpha]$ -androst-1-en- $3,17$ -dione);
435 (i) 4-androstenedione (androst-4-en- $3,17$ -dione);
436 (j) 5-androstenedione (androst-5-en- $3,17$ -dione);
437 (k) Bolasterone ($7\alpha, 17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
438 (l) Boldenone (17β -hydroxyandrost-1,4,-diene-3-one);
439 (m) Boldione;
440 (n) Calusterone ($7\beta, 17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
441 (o) Clostebol (4-chloro- 17β -hydroxyandrost-4-en-3-one);
442 (p) Dehydrochloromethyltestosterone
443 (4-chloro- 17β -hydroxy- 17α -methyl-androst-1,4-dien-3-one);
444 (q) Desoxymethyltestosterone;
445 (r) $\Delta 1$ -dihydrotestosterone (a.k.a. '1-testosterone')(17β -hydroxy- 5α -androst-1-en-3-one);
446 (s) 4-dihydrotestosterone (17β -hydroxy-androstan-3-one);
447 (t) Drostanolone (17β -hydroxy- 2α -methyl- 5α -androstan-3-one);

- 448 (u) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
449 (v) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
450 (w) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
451 (x) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);
452 (y) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
453 (z) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
454 (aa) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
455 (bb) Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);
456 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
457 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
458 (ee) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
459 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
460 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
461 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
462 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
463 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-
464 en-3-one);
465 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
466 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
467 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
468 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
469 (oo) 17 α -methyl- Δ 1-dihydrotestosterone
470 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
471 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
472 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
473 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
474 (ss) 19-nor-4,9(10)-androstadienedione;
475 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
476 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
477 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
478 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
479 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
480 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
481 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
482 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
483 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);

- 484 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
485 (ddd) Oxymethalone
486 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androst-3-one);
487 (eee) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
488 (fff) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
489 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
490 (hhh) Testosterone (17 β -hydroxyandrost-4-en-3-one);
491 (iii) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
492 (jjj) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);
493 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this
494 subdivision, except an anabolic steroid which is expressly intended for administration through
495 implants to cattle or other nonhuman species and which has been approved by the Secretary of
496 Health and Human Services for that administration;
- 497 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
498 United States Food and Drug Administration approved drug product;
- 499 (8) The department of health and senior services may except by rule any compound,
500 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
501 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
502 195.320 if the compound, mixture, or preparation contains one or more active medicinal
503 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
504 admixtures are included therein in combinations, quantity, proportion, or concentration that
505 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
506 the central nervous system.
- 507 7. The department of health and senior services shall place a substance in Schedule IV
508 if it finds that:
- 509 (1) The substance has a low potential for abuse relative to substances in Schedule III;
510 (2) The substance has currently accepted medical use in treatment in the United States;
511 and
- 512 (3) Abuse of the substance may lead to limited physical dependence or psychological
513 dependence relative to the substances in Schedule III.
- 514 8. The controlled substances listed in this subsection are included in Schedule IV:
- 515 (1) Any material, compound, mixture, or preparation containing any of the following
516 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
517 as set forth below:
- 518 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms
519 of atropine sulfate per dosage unit;

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

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

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

528 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
529 or per one hundred grams;

530 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
531 or per one hundred grams;

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

535 (a) Alprazolam;

536 (b) Barbitol;

537 (c) Bromazepam;

538 (d) Camazepam;

539 (e) Chloral betaine;

540 (f) Chloral hydrate;

541 (g) Chlordiazepoxide;

542 (h) Clobazam;

543 (i) Clonazepam;

544 (j) Clorazepate;

545 (k) Clotiazepam;

546 (l) Cloxazolam;

547 (m) Delorazepam;

548 (n) Diazepam;

549 (o) Dichloralphenazone;

550 (p) Estazolam;

551 (q) Ethchlorvynol;

552 (r) Ethinamate;

553 (s) Ethyl loflazepate;

554 (t) Fludiazepam;

555 (u) Flunitrazepam;

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

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

- 593 (a) Cathine ((+)-norpseudoephedrine);
- 594 (b) Diethylpropion;
- 595 (c) Fencamfamin;
- 596 (d) Fenproporex;
- 597 (e) Mazindol;
- 598 (f) Mefenorex;
- 599 (g) Modafinil;
- 600 (h) Pemoline, including organometallic complexes and chelates thereof;
- 601 (i) Phentermine;
- 602 (j) Pipradrol;
- 603 (k) Sibutramine;
- 604 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

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

- 607 (a) butorphanol;
- 608 (b) pentazocine;

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

611 (7) The department of health and senior services may except by rule any compound,
612 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
613 subsection from the application of all or any part of sections 195.010 to 195.320 and sections
614 579.015 to 579.086 if the compound, mixture, or preparation contains one or more active
615 medicinal ingredients not having a depressant effect on the central nervous system, and if the
616 admixtures are included therein in combinations, quantity, proportion, or concentration that
617 vitiate the potential for abuse of the substances which have a depressant effect on the central
618 nervous system.

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

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

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

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

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

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

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

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

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

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

642 (3) Any compound, mixture, or preparation containing any detectable quantity of
643 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
644 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
645 isomers, or salts of optical isomers;

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

649 (a) Lacosamide;

650 (b) Pregabalin.

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

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

659 (2) Any person purchasing, receiving or otherwise acquiring any compound, mixture,
660 or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers,

661 or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers
662 shall be at least eighteen years of age; and

663 (3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require
664 any person, prior to such person's purchasing, receiving or otherwise acquiring such compound,
665 mixture, or preparation to furnish suitable photo identification that is issued by a state or the
666 federal government or a document that, with respect to identification, is considered acceptable
667 and showing the date of birth of the person;

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

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

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

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

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

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

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

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

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

685 16. The penalties for a knowing or reckless violation of the provisions of subsections 11
686 to 15 of this section are found in section 579.060.

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

692 18. The manufacturer of a drug product or another interested party may apply with the
693 department of health and senior services for an exemption from this section. The department of
694 health and senior services may grant an exemption by rule from this section if the department
695 finds the drug product is not used in the illegal manufacture of methamphetamine or other
696 controlled or dangerous substances. The department of health and senior services shall rely on

697 reports from law enforcement and law enforcement evidentiary laboratories in determining if the
698 proposed product can be used to manufacture illicit controlled substances.

699 19. The department of health and senior services shall revise and republish the schedules
700 annually.

701 20. The department of health and senior services shall promulgate rules under chapter
702 536 regarding the security and storage of Schedule V controlled substances, as described in
703 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
704 of health and senior services.

705 21. Logs of transactions required to be kept and maintained by this section and section
706 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
707 the person whose transactions are recorded in the logs.

 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) Difenoxylin;
- 31 (u) Dimenoxadol;
- 32 (v) Dimepheetanol;
- 33 (w) Dimethylthiambutene;
- 34 (x) Dioxaphetyl butyrate;
- 35 (y) Dipipanone;
- 36 (z) Ethylmethylthiambutene;
- 37 (aa) Etonitazene;
- 38 (bb) Etozeridine;
- 39 (cc) Furethidine;
- 40 (dd) Hydroxypethidine;
- 41 (ee) Ketobemidone;
- 42 (ff) Levomoramide;
- 43 (gg) Levophenacymorphan;
- 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) 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) Hydromorphenol;
- 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, **except industrial hemp as defined in section 195.010**;
- 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), **except industrial hemp as defined in section 195.010**, as well as synthetic
- 132 equivalents of the substances contained in the cannabis plant, or in the resinous extractives of

- 133 such plant, or synthetic substances, derivatives, and their isomers with similar chemical structure
134 and pharmacological activity to those substances 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

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

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

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

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

199 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-
200 2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

201 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
202 -6a,7,10,10 a-tetrahydrobenzo[c]chromen-1-ol;

203 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-

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

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

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

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

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

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

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

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

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

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

258 a. Raw opium;

259 b. Opium extracts;

260 c. Opium fluid;

261 d. Powdered opium;

262 e. Granulated opium;

263 f. Tincture of opium;

264 g. Codeine;

265 h. Ethylmorphine;

266 i. Etorphine hydrochloride;

267 j. Hydrocodone;

268 k. Hydromorphone;

269 l. Metopon;

270 m. Morphine;

271 n. Oxycodone;

272 o. Oxymorphone;

273 p. Thebaine;

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

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

346 (1) The substance has a potential for abuse less than the substances listed in Schedules
347 I and II;

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

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

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

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

356 (a) Benzphetamine;

357 (b) Chlorphentermine;

358 (c) Clortermine;

359 (d) Phendimetrazine;

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

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

364 a. Amobarbital;

365 b. Secobarbital;

366 c. Pentobarbital;

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

368 a. Amobarbital;

369 b. Secobarbital;

370 c. Pentobarbital;

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

373 (d) Chlorhexadol;

374 (e) Embutramide;

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

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

379 (h) Lysergic acid;

380 (i) Lysergic acid amide;

381 (j) Methyprylon;

- 382 (k) Sulfondiethylmethane;
- 383 (l) Sulfonethylmethane;
- 384 (m) Sulfonmethane;
- 385 (n) Tiletamine and zolazepam or any salt thereof;
- 386 (3) Nalorphine;
- 387 (4) Any material, compound, mixture, or preparation containing limited quantities of any
- 388 of the following narcotic drugs or their salts:
- 389 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
- 390 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
- 391 of opium;
- 392 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
- 393 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
- 394 therapeutic amounts;
- 395 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
- 396 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
- 397 isoquinoline alkaloid of opium;
- 398 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
- 399 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic
- 400 ingredients in recognized therapeutic amounts;
- 401 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more
- 402 than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in
- 403 recognized therapeutic amounts;
- 404 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters
- 405 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic
- 406 ingredients in recognized therapeutic amounts;
- 407 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per
- 408 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more
- 409 active nonnarcotic ingredients in recognized therapeutic amounts;
- 410 (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one
- 411 hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
- 412 amounts;
- 413 (5) Any material, compound, mixture, or preparation containing any of the following
- 414 narcotic drugs or their salts, as set forth in subdivision (6) of this subsection; buprenorphine;
- 415 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
- 416 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and
- 417 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is

418 expressly intended for administration through implants to cattle or other nonhuman species and
419 which has been approved by the Secretary of Health and Human Services for that administration.
420 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall
421 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
422 meaning of this subdivision. Unless specifically excepted or unless listed in another schedule,
423 any material, compound, mixture or preparation containing any quantity of the following
424 substances, including its salts, esters and ethers:

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

- 454 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
455 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
456 (ee) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
457 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
458 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
459 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
460 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene);
461 (jj) 17 α -methyl-4-hydroxynandrolone
462 (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
463 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
464 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
465 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
466 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
467 (oo) 17 α -methyl- Δ 1-dihydrotestosterone
468 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
469 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
470 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
471 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
472 (ss) 19-nor-4,9(10)-androstadienedione;
473 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
474 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
475 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
476 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
477 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
478 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
479 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
480 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
481 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
482 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
483 (ddd) Oxymethalone
484 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one);
485 (eee) Stanozolol
486 (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
487 (fff) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
488 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
489 (hhh) Testosterone (17 β -hydroxyandrost-4-en-3-one);

490 (iii) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);

491 (jjj) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);

492 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this
493 subdivision, except an anabolic steroid which is expressly intended for administration through
494 implants to cattle or other nonhuman species and which has been approved by the Secretary of
495 Health and Human Services for that administration;

496 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
497 United States Food and Drug Administration approved drug product;

498 (8) The department of health and senior services may except by rule any compound,
499 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
500 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
501 195.320 if the compound, mixture, or preparation contains one or more active medicinal
502 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
503 admixtures are included therein in combinations, quantity, proportion, or concentration that
504 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
505 the central nervous system.

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

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

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

510 and

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

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

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

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

519 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
520 2-diphenyl-3-methyl-2-propionoxybutane);

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

- 525 a. Not more than two hundred milligrams of codeine per one hundred milliliters or per
526 one hundred grams;
- 527 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
528 or per one hundred grams;
- 529 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
530 or per one hundred grams;
- 531 (2) Any material, compound, mixture or preparation containing any quantity of the
532 following substances, including their salts, isomers, and salts of isomers whenever the existence
533 of those salts, isomers, and salts of isomers is possible within the specific chemical designation:
- 534 (a) Alprazolam;
- 535 (b) Barbital;
- 536 (c) Bromazepam;
- 537 (d) Camazepam;
- 538 (e) Chloral betaine;
- 539 (f) Chloral hydrate;
- 540 (g) Chlordiazepoxide;
- 541 (h) Clobazam;
- 542 (i) Clonazepam;
- 543 (j) Clorazepate;
- 544 (k) Clotiazepam;
- 545 (l) Cloxazolam;
- 546 (m) Delorazepam;
- 547 (n) Diazepam;
- 548 (o) Dichloralphenazone;
- 549 (p) Estazolam;
- 550 (q) Ethchlorvynol;
- 551 (r) Ethinamate;
- 552 (s) Ethyl loflazepate;
- 553 (t) Fludiazepam;
- 554 (u) Flunitrazepam;
- 555 (v) Flurazepam;
- 556 (w) Fospropofol;
- 557 (x) Halazepam;
- 558 (y) Haloxazolam;
- 559 (z) Ketazolam;
- 560 (aa) Loprazolam;

- 561 (bb) Lorazepam;
- 562 (cc) Lormetazepam;
- 563 (dd) Mebutamate;
- 564 (ee) Medazepam;
- 565 (ff) Meprobamate;
- 566 (gg) Methohexital;
- 567 (hh) Methylphenobarbital (mephobarbital);
- 568 (ii) Midazolam;
- 569 (jj) Nimetazepam;
- 570 (kk) Nitrazepam;
- 571 (ll) Nordiazepam;
- 572 (mm) Oxazepam;
- 573 (nn) Oxazolam;
- 574 (oo) Paraldehyde;
- 575 (pp) Petrichloral;
- 576 (qq) Phenobarbital;
- 577 (rr) Pinazepam;
- 578 (ss) Prazepam;
- 579 (tt) Quazepam;
- 580 (uu) Temazepam;
- 581 (vv) Tetrazepam;
- 582 (ww) Triazolam;
- 583 (xx) Zaleplon;
- 584 (yy) Zolpidem;
- 585 (zz) Zopiclone;
- 586 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 587 following substance including its salts, isomers and salts of isomers whenever the existence of
- 588 such salts, isomers and salts of isomers is possible: fenfluramine;
- 589 (4) Any material, compound, mixture or preparation containing any quantity of the
- 590 following substances having a stimulant effect on the central nervous system, including their
- 591 salts, isomers and salts of isomers:
 - 592 (a) Cathine ((+)-norpseudoephedrine);
 - 593 (b) Diethylpropion;
 - 594 (c) Fencamfamin;
 - 595 (d) Fenproporex;
 - 596 (e) Mazindol;

- 597 (f) Mefenorex;
- 598 (g) Modafinil;
- 599 (h) Pemoline, including organometallic complexes and chelates thereof;
- 600 (i) Phentermine;
- 601 (j) Pipradrol;
- 602 (k) Sibutramine;
- 603 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 604 (5) Any material, compound, mixture or preparation containing any quantity of the
- 605 following substance, including its salts:
- 606 (a) butorphanol;
- 607 (b) pentazocine;
- 608 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance
- 609 is the only active medicinal ingredient;
- 610 (7) The department of health and senior services may except by rule any compound,
- 611 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
- 612 subsection from the application of all or any part of sections 195.010 to 195.320 if the
- 613 compound, mixture, or preparation contains one or more active medicinal ingredients not having
- 614 a depressant effect on the central nervous system, and if the admixtures are included therein in
- 615 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
- 616 substances which have a depressant effect on the central nervous system.
- 617 9. The department of health and senior services shall place a substance in Schedule V
- 618 if it finds that:
- 619 (1) The substance has low potential for abuse relative to the controlled substances listed
- 620 in Schedule IV;
- 621 (2) The substance has currently accepted medical use in treatment in the United States;
- 622 and
- 623 (3) The substance has limited physical dependence or psychological dependence liability
- 624 relative to the controlled substances listed in Schedule IV.
- 625 10. The controlled substances listed in this subsection are included in Schedule V:
- 626 (1) Any compound, mixture or preparation containing any of the following narcotic
- 627 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set
- 628 forth below, which also contains one or more nonnarcotic active medicinal ingredients in
- 629 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal
- 630 qualities other than those possessed by the narcotic drug alone:
- 631 (a) Not more than two and five-tenths milligrams of diphenoxylate and not less than
- 632 twenty-five micrograms of atropine sulfate per dosage unit;

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

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

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

640 (3) Any compound, mixture, or preparation containing any detectable quantity of
641 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
642 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
643 isomers, or salts of optical isomers;

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

647 (a) Lacosamide;

648 (b) Pregabalin.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

697 19. The department of health and senior services shall revise and republish the schedules
698 annually.

699 20. The department of health and senior services shall promulgate rules under chapter
700 536 regarding the security and storage of Schedule V controlled substances, as described in
701 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
702 of health and senior services.

703 21. Logs of transactions required to be kept and maintained by this section and section
704 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
705 the person whose transactions are recorded in the logs.

**195.203. Notwithstanding any other provision of this chapter or chapter 579 to the
2 contrary, it shall be legal for any person who has a valid industrial hemp license as
3 provided under sections 195.600 to 195.609 to grow, harvest, and cultivate industrial hemp
4 as defined in section 195.010 in accordance with the requirements of sections 195.600 to
5 195.609.**

**195.600. For the purposes of sections 195.600 to 195.609, the following terms shall
2 mean:**

- 3 (1) "Agricultural hemp seed", *Cannabis sativa* L. seed that meets any labeling,
4 quality, or other standards set by the department of agriculture and that is intended for
5 sale, is sold to, or is purchased by licensed growers for planting;
- 6 (2) "Crop", any field of industrial hemp grown under a single license;
- 7 (3) "Department", the Missouri department of agriculture;
- 8 (4) "Grain", seed used to make an industrial hemp commodity or product;
- 9 (5) "Grower", a person, joint venture, or cooperative that produces industrial
10 hemp;
- 11 (6) "Handler", a person, joint venture, or cooperative that receives industrial hemp
12 for processing into commodities, products, or agricultural hemp seed;
- 13 (7) "Industrial hemp", the same as such term is defined in section 195.010;
- 14 (8) "Industrial hemp plant monitoring system", an electronic seed-to-sale tracking
15 system that includes, but is not limited to, testing and data collection established and
16 maintained by a grower or handler and available to the department for purposes of
17 documenting and for monitoring agricultural hemp seed and industrial hemp plant
18 development throughout the life cycle of an industrial hemp plant cultivated as an
19 agricultural product from seed planting to final packaging.

**195.603. 1. There is hereby created an industrial hemp agricultural pilot program
2 to be implemented by the department. Industrial hemp production, possession, and
3 commerce in industrial hemp commodities and products shall be permitted in this state
4 under sections 195.600 to 195.609.**

**2. Industrial hemp shall be an agricultural product that is subject to regulation by
6 the department of agriculture, including compliance with an industrial hemp plant
7 monitoring system. Any grower and handler of industrial hemp shall obtain a license from
8 the department. Growers and handlers engaged in the production of agricultural hemp
9 seed shall also have an agricultural hemp seed production permit.**

10 **3. An application for an industrial hemp license or agricultural hemp seed**
11 **production permit shall include:**

12 **(1) The name and address of the applicant;**

13 **(2) The name and address of the industrial hemp operation of the applicant;**

14 **(3) The global positioning system coordinates and legal description for the property**
15 **used for the industrial hemp;**

16 **(4) If the industrial hemp license or agricultural hemp seed production permit**
17 **application is by the grower, information sufficient to establish that the industrial hemp**
18 **crop of the applicant will be at least two and one-half acres in size;**

19 **(5) The application fee, as determined by the department, in an amount sufficient**
20 **to cover the administrative costs of processing license and permit applications; and**

21 **(6) Any other information required by the department.**

22 **4. The department shall issue a license or permit under this section to an applicant**
23 **who meets the requirements of sections 195.600 to 195.609 and upon satisfactory**
24 **completion of a fingerprint criminal history background check. The department may**
25 **charge applicants a fee for the cost of the fingerprint criminal history background check.**
26 **A license or permit shall not be issued to a person who has been found guilty of a felony**
27 **offense in the ten years immediately preceding the application date or a person who at any**
28 **time has been found guilty of a felony offense under any state or federal law regarding the**
29 **possession, distribution, manufacturing, cultivation, or use of a controlled substance.**

30 **5. Upon issuance of a license or permit, information regarding all license and**
31 **permit holders shall be forwarded to the state highway patrol.**

32 **6. An industrial hemp license or agricultural hemp seed production permit is:**

33 **(1) Nontransferable; except that, such license or permit may be transferred to a**
34 **spouse or child, who otherwise meets the requirements of a licensee or permittee, and the**
35 **spouse or child may operate under the existing license or permit until the registration**
36 **expires, at which time the renewal shall reflect the change in licensee;**

37 **(2) Valid for a three-year term unless revoked by the department; and**

38 **(3) Renewable as determined by the department.**

39 **7. An agricultural hemp seed production permit authorizes a grower or handler to**
40 **produce and handle agricultural hemp seed for sale to licensed industrial hemp growers**
41 **and handlers. The department shall make information that identifies sellers of agricultural**
42 **hemp seed available to growers, and any seller of agricultural hemp seed shall ensure that**
43 **the seed complies with any standards established by the department.**

44 **8. A grower may retain seed from each industrial hemp crop to ensure a sufficient**
45 **supply of seed for that grower for the following year. A grower shall not be required to**

46 obtain an agricultural hemp seed production permit in order to retain seed for future
47 planting. Any seed retained by a grower for future planting shall not be sold or
48 transferred and does not have to meet agricultural hemp seed standards established by the
49 department.

50 9. Every grower or handler shall be subject to an industrial hemp plant monitoring
51 system and shall keep industrial hemp crop and agricultural hemp seed records as
52 required by the department. Upon three days' notice, the department may require an
53 inspection or audit during any normal business hours for the purpose of ensuring
54 compliance with:

55 (1) Any provision of this chapter;

56 (2) Department rules and regulations;

57 (3) Industrial hemp license or agricultural hemp seed production permit
58 requirements, terms, or conditions;

59 (4) Any industrial hemp plant monitoring system; or

60 (5) A final department order directed to the grower's or handler's industrial hemp
61 operations or activities.

62 10. In addition to any inspection conducted under subsection 9 of this section, the
63 department may inspect any industrial hemp crop during the crop's growth phase and take
64 a representative composite sample for field analysis. If a crop contains an average
65 tetrahydrocannabinol concentration exceeding three-tenths of one percent on a dry weight
66 basis, the department may detain, seize, or embargo the crop.

67 11. The department may charge growers and handlers reasonable fees as
68 determined by the department for the purpose of carrying out the duties of the department
69 under sections 195.600 to 195.609. All fees collected under sections 195.600 to 195.609 shall
70 be deposited in a dedicated fund for use by the department to carry out the duties of the
71 department under sections 195.600 to 195.609.

72 12. The department shall promulgate rules necessary to administer the provisions
73 of sections 195.600 to 195.609. Any rule or portion of a rule, as that term is defined in
74 section 536.010, that is created under the authority delegated in this section shall become
75 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
76 if applicable, section 536.028. Sections 195.600 to 195.609 and chapter 536 are
77 nonseverable, and if any of the powers vested with the general assembly under chapter 536
78 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
79 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
80 adopted after August 28, 2016, shall be invalid and void.

195.606. 1. The department may revoke or refuse to issue or renew an industrial hemp license or agricultural hemp seed production permit and may impose a civil penalty of not less than two thousand five hundred dollars or more than fifty thousand dollars for violation of:

- 5 (1) A license or permit requirement, term, or condition;
- 6 (2) Department rules relating to growing or handling industrial hemp;
- 7 (3) Any industrial hemp plant monitoring system; or
- 8 (4) A final order of the department that is specifically directed to the grower's or handler's industrial hemp operations or activities.

10 2. In addition, the department may revoke or refuse to issue or renew an industrial hemp license or an agricultural hemp seed production permit for failing to comply with any provision of this chapter or for a violation of any rule of the department that pertains to agricultural operations or activities other than industrial hemp growing or handling.

195.609. 1. Any person growing industrial hemp who does not have a valid industrial hemp license issued under sections 195.600 to 195.609 shall be subject to an administrative fine of five hundred dollars and shall obtain a valid license to grow industrial hemp within thirty days.

2. If during the thirty-day period described in subsection 1 of this section such person applies for and receives an industrial hemp license, the amount of the fine imposed under subsection 1 of this section shall be refunded in full.

3. If during the thirty-day period described in subsection 1 of this section such person fails to obtain an industrial hemp license, the person shall be fined one thousand dollars per day until such person obtains a license to grow industrial hemp or the person's industrial hemp crop is destroyed.

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