

SECOND REGULAR SESSION

# HOUSE BILL NO. 1973

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REDMON.

5531H.011

D. ADAM CRUMBLISS, Chief Clerk

## AN ACT

To repeal sections 195.010 and 195.017, as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and sections 195.010 and 195.017, as enacted by senate bill no. 491, ninety-seventh general assembly, second 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. Section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, section 195.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and section 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session are repealed and seven new sections enacted in lieu thereof, to be known as sections 195.010, 195.017, 195.203, 195.600, 195.603, 195.606, and 195.609, to read as follows: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, unless the context otherwise requires, mean:

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

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

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

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

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.

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 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. Bonges;
- 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. Bonges;
- 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 (ll) 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) Difenoxin;
- 31 (u) Dimenoxadol;
- 32 (v) Dimepheptanol;
- 33 (w) Dimethylthiambutene;
- 34 (x) Dioxaphetyl butyrate;
- 35 (y) Dipipanone;
- 36 (z) Ethylmethylthiambutene;
- 37 (aa) Etonitazene;
- 38 (bb) Etoxidine;
- 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) Hydromorphinol;
- 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 2-[(1R,3S)-3-hydroxycyclohexyl]-5-  
190 (2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n=4,6,  
191 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-  
200 phenylpentan-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 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-  
206 2-yl] oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- 207 k. Dimethylheptylpyran, or DMHP;
- 208 (5) Any material, compound, mixture or preparation containing any quantity of the  
209 following substances having a depressant effect on the central nervous system, including their  
210 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of  
211 isomers is possible within the specific chemical designation:
- 212 (a) Gamma-hydroxybutyric acid;
- 213 (b) Mecloqualone;
- 214 (c) Methaqualone;
- 215 (6) Any material, compound, mixture or preparation containing any quantity of the  
216 following substances having a stimulant effect on the central nervous system, including their  
217 salts, isomers and salts of isomers:
- 218 (a) Aminorex;
- 219 (b) N-benzylpiperazine;
- 220 (c) Cathinone;
- 221 (d) Fenethylamine;
- 222 (e) 3-Fluoromethcathinone;
- 223 (f) 4-Fluoromethcathinone;
- 224 (g) Mephedrone, or 4-methylmethcathinone;
- 225 (h) Methcathinone;
- 226 (i) 4-methoxymethcathinone;
- 227 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-  
228 oxazolamine);
- 229 (k) Methylenedioxypropylone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-  
230 (1-pyrrolidinyl)-1-pentanone);
- 231 (l) Methylohexone, or 3,4-Methylenedioxypropylone;
- 232 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, 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 nalmeferene, 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-alphaacetylmethadol;
- 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) Lisdexamphetamine, 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- $5\alpha$ -androstane;
- 426 (b)  $3\alpha,17\beta$ -dihydroxy- $5\alpha$ -androstane;
- 427 (c)  $5\alpha$ -androstan- $3,17$ -dione;
- 428 (d) 1-androstenediol ( $3\beta,17\beta$ -dihydroxy- $5\alpha$ -androst-1-ene);
- 429 (e) 1-androstenediol ( $3\alpha,17\beta$ -dihydroxy- $5\alpha$ -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- $17\beta$ -hydroxyandrost-4-en-3-one);
- 436 (l) Boldenone ( $17\beta$ -hydroxyandrost-1,4,-diene-3-one);
- 437 (m) Boldione;
- 438 (n) Calusterone ( $7\beta,17\alpha$ -dimethyl- $17\beta$ -hydroxyandrost-4-en-3-one);
- 439 (o) Clostebol (4-chloro- $17\beta$ -hydroxyandrost-4-en-3-one);
- 440 (p) Dehydrochloromethyltestosterone (4-chloro- $17\beta$ -hydroxy- $17\alpha$ -methyl-androst-1,  
441 4-dien-3-one);
- 442 (q) Desoxymethyltestosterone;
- 443 (r)  $\Delta 1$ -dihydrotestosterone (a.k.a. '1-testosterone')( $17\beta$ -hydroxy- $5\alpha$ -androst-1-en-3-one);
- 444 (s) 4-dihydrotestosterone ( $17\beta$ -hydroxy-androstan-3-one);
- 445 (t) Drostanolone ( $17\beta$ -hydroxy- $2\alpha$ -methyl- $5\alpha$ -androstan-3-one);
- 446 (u) Ethylestrenol ( $17\alpha$ -ethyl- $17\beta$ -hydroxyestr-4-ene);
- 447 (v) Fluoxymesterone (9-fluoro- $17\alpha$ -methyl- $11\beta,17\beta$ -dihydroxyandrost-4-en-3-one);
- 448 (w) Formebolone (2-formyl- $17\alpha$ -methyl- $11\alpha,17\beta$ -dihydroxyandrost-1,4-dien-3-one);
- 449 (x) Furazabol ( $17\alpha$ -methyl- $17\beta$ -hydroxyandrostano[ $2,3$ -c]-furan);
- 450 (y)  $13\beta$ -ethyl- $17\beta$ -hydroxygon-4-en-3-one;

- 451 (z) 4-hydroxytestosterone (4,17 $\beta$ -dihydroxy-androst-4-en-3-one);  
452 (aa) 4-hydroxy-19-nortestosterone (4,17 $\beta$ -dihydroxy-estr-4-en-3-one);  
453 (bb) Mestanolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5-androstan-3-one);  
454 (cc) Mesterolone (1 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one);  
455 (dd) Methandienone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-1,4-dien-3-one);  
456 (ee) Methandriol (17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-5-ene);  
457 (ff) Methenolone (1-methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);  
458 (gg) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);  
459 (hh) 17 $\alpha$ -methyl-3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);  
460 (ii) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-ene;  
461 (jj) 17 $\alpha$ -methyl-4-hydroxynandrolone (17 $\alpha$ -methyl-4-hydroxy-17 $\beta$ -hydroxyestr-4-en-  
462 3-one);  
463 (kk) Methyldienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9(10)-dien-3-one);  
464 (ll) Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9-11-trien-3-one);  
465 (mm) Methyltestosterone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-4-en-3-one);  
466 (nn) Mibolerone (7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
467 (oo) 17 $\alpha$ -methyl- $\Delta$ 1-dihydrotestosterone (17 $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$ -androst-1-en-  
468 3-one) (a.k.a. '17- $\alpha$ -methyl-1-testosterone');  
469 (pp) Nandrolone (17 $\beta$ -hydroxyestr-4-ene-3-one);  
470 (qq) 19-nor-4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-4-ene);  
471 (rr) 19-nor-4-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-4-ene);  
472 (ss) 19-nor-4,9(10)-androstadienedione;  
473 (tt) 19-nor-5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-5-ene);  
474 (uu) 19-nor-5-androstenediol (3 $\alpha$ ,17 $\beta$ -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 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4-en-3-one);  
478 (yy) Norclostebol (4-chloro-17 $\beta$ -hydroxyestr-4-en-3-one);  
479 (zz) Norethandrolone (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
480 (aaa) Normethandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
481 (bbb) Oxandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-2-oxa-[5 $\alpha$ ]-androstan-3-one);  
482 (ccc) Oxymesterone (17 $\alpha$ -methyl-4,17 $\beta$ -dihydroxyandrost-4-en-3-one);  
483 (ddd) Oxymethalone (17 $\alpha$ -methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-  
484 androstan-3-one);  
485 (eee) Stanozolol (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androst-2-eno[3,2-c]-pyrazole);  
486 (fff) Stenbolone (17 $\beta$ -hydroxy-2-methyl-[5 $\alpha$ ]-androst-1-en-3-one);



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

522 upon the compound, mixture or preparation valuable medicinal qualities other than those  
523 possessed by the narcotic drug alone:

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

526       b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters  
527 or per one hundred grams;

528       c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters  
529 or per one hundred grams;

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

533       (a) Alprazolam;

534       (b) Barbital;

535       (c) Bromazepam;

536       (d) Camazepam;

537       (e) Chloral betaine;

538       (f) Chloral hydrate;

539       (g) Chlordiazepoxide;

540       (h) Clobazam;

541       (i) Clonazepam;

542       (j) Clorazepate;

543       (k) Clotiazepam;

544       (l) Cloxazolam;

545       (m) Delorazepam;

546       (n) Diazepam;

547       (o) Dichloralphenazone;

548       (p) Estazolam;

549       (q) Ethchlorvynol;

550       (r) Ethinamate;

551       (s) Ethyl loflazepate;

552       (t) Fludiazepam;

553       (u) Flunitrazepam;

554       (v) Flurazepam;

555       (w) Fospropofol;

556       (x) Halazepam;

557       (y) Haloxazolam;

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

- 594 (d) Fenproporex;
- 595 (e) Mazindol;
- 596 (f) Mefenorex;
- 597 (g) Modafinil;
- 598 (h) Pemoline, including organometallic complexes and chelates thereof;
- 599 (i) Phentermine;
- 600 (j) Pipradrol;
- 601 (k) Sibutramine;
- 602 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 603 (5) Any material, compound, mixture or preparation containing any quantity of the
- 604 following substance, including its salts:
- 605 (a) butorphanol;
- 606 (b) pentazocine;
- 607 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance
- 608 is the only active medicinal ingredient;
- 609 (7) The department of health and senior services may except by rule any compound,
- 610 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
- 611 subsection from the application of all or any part of sections 195.010 to 195.320 and sections
- 612 579.015 to 579.086 if the compound, mixture, or preparation contains one or more active
- 613 medicinal ingredients not having a depressant effect on the central nervous system, and if the
- 614 admixtures are included therein in combinations, quantity, proportion, or concentration that
- 615 vitiate the potential for abuse of the substances which have a depressant effect on the central
- 616 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 such person's purchasing, receiving or otherwise acquiring such compound,  
663 mixture, or preparation to furnish suitable photo identification that is issued by a state or the

664 federal government or a document that, with respect to identification, is considered acceptable  
665 and 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. The penalties for a knowing or reckless violation of the provisions of subsections 11  
684 to 15 of this section are found in section 579.060.

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.

          195.017. 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) Difenoxin;
- 31 (u) Dimenoxadol;
- 32 (v) Dimepheptanol;
- 33 (w) Dimethylthiambutene;
- 34 (x) Dioxaphetyl butyrate;
- 35 (y) Dipipanone;
- 36 (z) Ethylmethylthiambutene;
- 37 (aa) Etonitazene;
- 38 (bb) Etoxidine;
- 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) Pirtramide;
- 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) Hydromorphinol;
- 81 (m) Methyldesorphine;
- 82 (n) Methyldihydromorphine;
- 83 (o) Morphine methylbromide;
- 84 (p) Morphine methylsulfonate;
- 85 (q) Morphine-N-Oxide;
- 86 (r) Myorphine;
- 87 (s) Nicocodeine;
- 88 (t) Nicomorphine;
- 89 (u) Normorphine;
- 90 (v) Pholcodine;
- 91 (w) Thebacon;

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

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

- 102 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 103 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 104 (i) 3,4-methylenedioxyamphetamine;
- 105 (j) 3,4-methylenedioxymethamphetamine;
- 106 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 107 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 108 (m) 3,4,5-trimethoxyamphetamine;
- 109 (n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts 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-piperidiny)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-piperidiny)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-piperidiny)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-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or  
188 not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

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

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

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

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

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

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

202 i. HU-211, or DexanabinoI,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-  
203 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

204 j. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-  
205 2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

206 k. Dimethylheptylpyran, or DMHP;

207 (5) Any material, compound, mixture or preparation containing any quantity of the  
208 following substances having a depressant effect on the central nervous system, including their

209 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of  
210 isomers is possible within the specific chemical designation:

211 (a) Gamma-hydroxybutyric acid;

212 (b) Mecloqualone;

213 (c) Methaqualone;

214 (6) Any material, compound, mixture or preparation containing any quantity of the  
215 following substances having a stimulant effect on the central nervous system, including their  
216 salts, isomers and salts of isomers:

217 (a) Aminorex;

218 (b) N-benzylpiperazine;

219 (c) Cathinone;

220 (d) Fenethylamine;

221 (e) 3-Fluoromethcathinone;

222 (f) 4-Fluoromethcathinone;

223 (g) Mephedrone, or 4-methylmethcathinone;

224 (h) Methcathinone;

225 (i) 4-methoxymethcathinone;

226 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-  
227 oxazolamine);

228 (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-  
229 pyrrolidinyl)-1-pentanone);

230 (l) Methylone, or 3,4-Methylenedioxypropylamphetamine;

231 (m) 4-Methyl-alpha-pyrrolidinobutylphenone, or MPBP;

232 (n) N-ethylamphetamine;

233 (o) N,N-dimethylamphetamine;

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

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

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

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

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

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

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

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

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

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

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

257           a. Raw opium;

258           b. Opium extracts;

259           c. Opium fluid;

260           d. Powdered opium;

261           e. Granulated opium;

262           f. Tincture of opium;

263           g. Codeine;

264           h. Ethylmorphine;

265           i. Etorphine hydrochloride;

266           j. Hydrocodone;

267           k. Hydromorphone;

268           l. Metopon;

269           m. Morphine;

270           n. Oxycodone;

271           o. Oxymorphone;

272           p. Thebaine;

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

276           (c) Opium poppy and poppy straw;

277           (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and  
278 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical

279 with any of these substances, but not including decocainized coca leaves or extractions which  
280 do not contain cocaine or ecgonine;

281 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid  
282 or powder form which contains the phenanthrene alkaloids of the opium poppy);

283 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts  
284 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within  
285 the specific chemical designation, dextrorphan and levopropoxyphene excepted:

286 (a) Alfentanil;

287 (b) Alphaprodine;

288 (c) Anileridine;

289 (d) Bezitramide;

290 (e) Bulk dextropropoxyphene;

291 (f) Carfentanil;

292 (g) Dihydrocodeine;

293 (h) Diphenoxylate;

294 (i) Fentanyl;

295 (j) Isomethadone;

296 (k) Levo-alphaacetylmethadol;

297 (l) Levomethorphan;

298 (m) Levorphanol;

299 (n) Metazocine;

300 (o) Methadone;

301 (p) Meperidine;

302 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

303 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, [1-diphenylpropane--carboxylic  
304 acid] **1-diphenylpropane-carboxylic acid**;

305 (s) Pethidine (meperidine);

306 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

307 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

308 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

309 (w) Phenazocine;

310 (x) Piminodine;

311 (y) Racemethorphan;

312 (z) Racemorphan;

313 (aa) Remifentanil;

314 (bb) Sufentanil;

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



- 351           6. The controlled substances listed in this subsection are included in Schedule III:  
352           (1) Any material, compound, mixture, or preparation which contains any quantity of the  
353 following substances having a potential for abuse associated with a stimulant effect on the  
354 central nervous system:
- 355           (a) Benzphetamine;
  - 356           (b) Chlorphentermine;
  - 357           (c) Clortermine;
  - 358           (d) Phendimetrazine;
- 359           (2) Any material, compound, mixture or preparation which contains any quantity or salt  
360 of the following substances or salts having a depressant effect on the central nervous system:
- 361           (a) Any material, compound, mixture or preparation which contains any quantity or salt  
362 of the following substances combined with one or more active medicinal ingredients:
    - 363           a. Amobarbital;
    - 364           b. Secobarbital;
    - 365           c. Pentobarbital;
  - 366           (b) Any suppository dosage form containing any quantity or salt of the following:
    - 367           a. Amobarbital;
    - 368           b. Secobarbital;
    - 369           c. Pentobarbital;
  - 370           (c) Any substance which contains any quantity of a derivative of barbituric acid or its  
371 salt;
  - 372           (d) Chlorhexadol;
  - 373           (e) Embutramide;
  - 374           (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in  
375 a drug product for which an application has been approved under Section 505 of the federal  
376 Food, Drug, and Cosmetic Act;
  - 377           (g) Ketamine, its salts, isomers, and salts of isomers;
  - 378           (h) Lysergic acid;
  - 379           (i) Lysergic acid amide;
  - 380           (j) Methyprylon;
  - 381           (k) Sulfondiethylmethane;
  - 382           (l) Sulfonethylmethane;
  - 383           (m) Sulfonmethane;
  - 384           (n) Tiletamine and zolazepam or any salt thereof;
- 385           (3) Nalorphine;

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

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

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

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

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

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

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

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

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

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

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

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

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

- 458 (gg) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);  
459 (hh) 17 $\alpha$ -methyl-3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);  
460 (ii) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-ene;  
461 (jj) 17 $\alpha$ -methyl-4-hydroxynandrolone (17 $\alpha$ -methyl-4-hydroxy-17 $\beta$ -hydroxyestr-4-en-  
462 3-one);  
463 (kk) Methyldienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9(10)-dien-3-one);  
464 (ll) Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9-11-trien-3-one);  
465 (mm) Methyltestosterone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-4-en-3-one);  
466 (nn) Mibolerone (7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
467 (oo) 17 $\alpha$ -methyl- $\Delta$ 1-dihydrotestosterone (17 $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$ -androst-1-  
468 en-3-one) (a.k.a. '17- $\alpha$ -methyl-1-testosterone');  
469 (pp) Nandrolone (17 $\beta$ -hydroxyestr-4-ene-3-one);  
470 (qq) 19-nor-4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-4-ene);  
471 (rr) 19-nor-4-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-4-ene);  
472 (ss) 19-nor-4,9(10)-androstadienedione;  
473 (tt) 19-nor-5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-5-ene);  
474 (uu) 19-nor-5-androstenediol (3 $\alpha$ ,17 $\beta$ -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 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4-en-3-one);  
478 (yy) Norclostebol (4-chloro-17 $\beta$ -hydroxyestr-4-en-3-one);  
479 (zz) Norethandrolone (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
480 (aaa) Normethandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
481 (bbb) Oxandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-2-oxa-[5 $\alpha$ ]-androstan-3-one);  
482 (ccc) Oxymesterone (17 $\alpha$ -methyl-4,17 $\beta$ -dihydroxyandrost-4-en-3-one);  
483 (ddd) Oxymethalone (17 $\alpha$ -methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-  
484 androstan-3-one);  
485 (eee) Stanozolol (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androst-2-eno[3,2-c]-pyrazole);  
486 (fff) Stenbolone (17 $\beta$ -hydroxy-2-methyl-[5 $\alpha$ ]-androst-1-en-3-one);  
487 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);  
488 (hhh) Testosterone (17 $\beta$ -hydroxyandrost-4-en-3-one);  
489 (iii) Tetrahydrogestrinone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4,9,11-trien-3-one);  
490 (jjj) Trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-3-one);  
491 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this  
492 subdivision, except an anabolic steroid which is expressly intended for administration through

493 implants to cattle or other nonhuman species and which has been approved by the Secretary of  
494 Health and Human Services for that administration;

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

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

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

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

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

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

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

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

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

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

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

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

526 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters  
527 or per one hundred grams;

528 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters  
529 or per one hundred grams;

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

- 533 (a) Alprazolam;
- 534 (b) Barbitol;
- 535 (c) Bromazepam;
- 536 (d) Camazepam;
- 537 (e) Chloral betaine;
- 538 (f) Chloral hydrate;
- 539 (g) Chlordiazepoxide;
- 540 (h) Clobazam;
- 541 (i) Clonazepam;
- 542 (j) Clorazepate;
- 543 (k) Clotiazepam;
- 544 (l) Cloxazolam;
- 545 (m) Delorazepam;
- 546 (n) Diazepam;
- 547 (o) Dichloralphenazone;
- 548 (p) Estazolam;
- 549 (q) Ethchlorvynol;
- 550 (r) Ethinamate;
- 551 (s) Ethyl loflazepate;
- 552 (t) Fludiazepam;
- 553 (u) Flunitrazepam;
- 554 (v) Flurazepam;
- 555 (w) Fospropofol;
- 556 (x) Halazepam;
- 557 (y) Haloxazolam;
- 558 (z) Ketazolam;
- 559 (aa) Loprazolam;
- 560 (bb) Lorazepam;
- 561 (cc) Lormetazepam;
- 562 (dd) Mebutamate;
- 563 (ee) Medazepam;

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

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



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

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

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

646 (a) Lacosamide;

647 (b) Pregabalin.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

702 21. Logs of transactions required to be kept and maintained by this section and section  
703 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is  
704 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 195.606 to grow, harvest, and cultivate industrial hemp**

4 as defined in section 195.010 in accordance with the requirements of sections 195.600 to  
5 195.606.

195.600. For the purposes of sections 195.600 to 195.606, 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 195.606.

5 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; and

16 (4) Any other information required by the department.

17 4. The department shall issue a license or permit under this section to an applicant  
18 who meets the requirements of sections 195.600 to 195.606 and upon satisfactory  
19 completion of a fingerprint criminal history background check. A license or permit shall  
20 not be issued to a person who has been found guilty of a felony offense in the ten years  
21 immediately preceding the application date or a person who at any time has been found  
22 guilty of a felony offense under any state or federal law regarding the possession,  
23 distribution, manufacturing, cultivation, or use of a controlled substance.

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

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

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

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

32 (3) May be renewed as determined by the department.

33 7. An agricultural hemp seed production permit authorizes a grower or handler to  
34 produce and handle agricultural hemp seed for sale to licensed industrial hemp growers  
35 and handlers. The department shall make information that identifies sellers of agricultural  
36 hemp seed available to growers, and any seller of agricultural hemp seed shall ensure that  
37 the seed complies with any standards established by the department.

38 8. A grower may retain seed from each industrial hemp crop to ensure a sufficient  
39 supply of seed for that grower for the following year. A grower shall not be required to  
40 obtain an agricultural hemp seed production permit in order to retain seed for future  
41 planting. Any seed retained by a grower for future planting shall not be sold or  
42 transferred.

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

48 (1) Any provision of this chapter;

49 (2) Department rules and regulations;

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

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

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

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

60 11. The department shall charge each grower or handler reasonable fees as  
61 determined by the department for the purpose of carrying out the duties of the department  
62 under sections 195.600 to 195.606, including fees to cover the administrative costs of  
63 processing license and permit applications, the costs of the criminal history background  
64 check, and the cost of any inspection of the grower or handler ordered by the department.  
65 All fees collected under sections 195.600 to 195.606 shall be deposited in a dedicated fund  
66 for use by the department to carry out the duties of the department under sections 195.600  
67 to 195.606.

68 12. The department shall promulgate rules necessary to administer the provisions  
69 of sections 195.600 to 195.606. Any rule or portion of a rule, as that term is defined in  
70 section 536.010, that is created under the authority delegated in this section shall become  
71 effective only if it complies with and is subject to all of the provisions of chapter 536 and,  
72 if applicable, section 536.028. Sections 195.600 to 195.606 and chapter 536 are  
73 nonseverable, and if any of the powers vested with the general assembly under chapter 536  
74 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
75 held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
76 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  
2 hemp license or agricultural hemp seed production permit and may impose a civil penalty  
3 of not less than two thousand five hundred dollars or more than fifty thousand dollars for  
4 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  
9 handler's industrial hemp operations or activities.

10 2. In addition, the department may revoke or refuse to issue or renew an industrial  
11 hemp license or an agricultural hemp seed production permit for failing to comply with

12 any provision of this chapter or for a violation of any rule of the department that pertains  
13 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  
2 industrial hemp license issued under sections 195.600 to 195.606 shall be subject to an  
3 administrative fine of five hundred dollars and shall obtain a valid license to grow  
4 industrial hemp within thirty days.

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

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

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