

Request for Additions to the List of Controlled Substances by Emergency Rule.

Pursuant to notification and request from the Arkansas State Crime Laboratory, the Arkansas Department of Health is requesting the following hallucinogenic substances be immediately classified as **Schedule 1** controlled substances pursuant to Arkansas Codes Annotated §§ 5-64-203 and 5-64-204:

- 2-[[[2-(4-bromo-2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol (25B-NBOH),
- 2-[[[2-(4-iodo-2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol (25I-NBOH).

These substances identified as 25B-NBOH and 25I-NBOH have a *high potential for abuse* and *have no accepted medical use in treatment in the United States*.

In addition, pursuant to notification and request from the Arkansas State Crime Laboratory, the Arkansas Department of Health is requesting the following synthetic cannabinoids be immediately classified as **Schedule VI** controlled substances pursuant to Arkansas Codes Annotated §§ 5-64-214 and 5-64-215:

- methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (5-Fluoro-ADB),
- methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (5-Fluoro-MDMB-PICA),
- methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (MDMB-CHMICA),
- methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (FUB-AMB),
- methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (MDMB-FUBINACA).

These substances identified as 5-Fluoro-ADB, 5-Fluoro-MDMB-PICA, MDMB-CHMICA, FUB-AMB and MDMB-FUBINACA *have no accepted medical use in treatment in the United States, there is lack of accepted safety for use of the drug or other substance even under direct medical supervision, have relatively high psychological or physiological dependence liability, or both and use of these substances presents a definite risk to public health*.

Lastly, pursuant to scheduling by the Drug Enforcement Administration, the Arkansas Department of Health is requesting the following substance be immediately classified as **Schedule V** controlled substance pursuant to Arkansas Code Annotated §§ 5-64-211 and 5-64-212.

- A drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols.

This substance identified as a drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols *has low potential for abuse relative to the controlled substances listed in Schedule IV, has currently accepted medical use in treatment in the United States; and has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV*. Please note, the addition of this substance will require the establishment of a new section under Schedule V to the List of Controlled Substances titled *Other Substances*.

The Department's regular rulemaking process to permanently add these eight substances to *The List of Controlled Substances for the State of Arkansas* is currently pending.

QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

DEPARTMENT/AGENCY Arkansas Department of Health
DIVISION Pharmacy Services and Drug Control
DIVISION DIRECTOR Shane David, Pharm.D.
CONTACT PERSON Shane David, Pharm.D. and Laura Shue, General Counsel
ADDRESS 4815 West Markham Slot 25 Little Rock, AR 72205
PHONE NO. 501 661-2325; 661-2297 FAX NO. 501 661-2769 E-MAIL shane.david@arkansas.gov
NAME OF PRESENTER AT COMMITTEE MEETING Shane David, Pharm.D.; Laura Shue
PRESENTER E-MAIL shane.david@arkansas.gov; laura.shue@arkansas.gov

INSTRUCTIONS

- A. Please make copies of this form for future use.
B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Donna K. Davis
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

1. What is the short title of this rule? List of Controlled Substances
2. What is the subject of the proposed rule? The scheduling of controlled substances.
3. Is this rule required to comply with a federal statute, rule, or regulation? Yes ☐ No ☒
If yes, please provide the federal rule, regulation, and/or statute citation.
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4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes ☒ No ☐
If yes, what is the effective date of the emergency rule? May 1, 2019

When does the emergency rule expire? November 1, 2019

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes ☒ No ☐

5. Is this a new rule? Yes ☐ No ☒

If yes, please provide a brief summary explaining the regulation.

Does this repeal an existing rule? Yes ☐ No ☒

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes ☒ No ☐

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule?

If codified, please give Arkansas Code citation.

Ark. Code Ann. §§ 5-64-201 - 5-64-216

7. What is the purpose of this proposed rule? Why is it necessary?

Upon request and notification by Arkansas State Crime Laboratory, to add to the list of Schedule I substances, 25B-NBOH and 25I-NBOH has a high potential for abuse and has no accepted medical use in treatment in the United States and should be immediately classified as a Schedule I Controlled Substances.

Upon request and notification by Arkansas State Crime Laboratory, to add to the list of Schedule VI substances, 5-Fluoro-ADB, 5-Fluoro-MDMB PICA, MDMB-CHMICA, FUB-AMB, MDMB-FUBINACA has no accepted medical use in treatment in the United States, there is lack of accepted safety for use of the drug or other substance even under direct medical supervision, has relatively high psychological or physiological dependence liability, or both and use of this substance presents a definite risk to public health and should be immediately classified as a Schedule VI Controlled Substances.

To follow scheduling by the DEA, to add to the list of Schedule V substances, a drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols has low potential for abuse relative to the controlled substances listed in Schedule IV, has currently accepted medical use in treatment in the United States; and has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV and should immediately classified as a Schedule V Controlled Substance.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b).

<https://www.healthy.arkansas.gov/emergency-rules>

9. Will a public hearing be held on this proposed rule? Yes ☒ No ☐

If yes, please complete the following:

Date: Jan. 16, 2019

Time: 10:00 a.m.

Place: Department of Health

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

May 1, 2019

12. Do you expect this rule to be controversial?

Yes ☐

No ☒

If yes, please explain.

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.

Not Known

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Health
DIVISION Pharmacy Services and Drug Control
PERSON COMPLETING THIS STATEMENT Shane David, Pharm.D..
TELEPHONE NO. 501 661-2325 **FAX NO.** 501 661-2769 **EMAIL:** shane.david@arkansas.gov

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE List of Controlled Substances (Emergency Scheduling)

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒
2. Does this proposed, amended, or repealed rule affect small businesses? Yes ☐ No ☒
If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

General Revenue	<u>0</u>
Federal Funds	<u>0</u>
Cash Funds	<u>0</u>
Special Revenue	<u>0</u>
Other (Identify)	<u>0</u>
Total	<u>0</u>

Next Fiscal Year

General Revenue	<u>0</u>
Federal Funds	<u>0</u>
Cash Funds	<u>0</u>
Special Revenue	<u>0</u>
Other (Identify)	<u>0</u>
Total	<u>0</u>

5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule and explain how they are affected.

Current Fiscal Year

\$ 0

Next Fiscal Year

\$ 0

To the extent that these are uncontrolled and unregulated substances, it would be purely speculative as to the revenue loss that might occur for those selling the product.

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

\$ 0

Next Fiscal Year

\$ 0

List
Of
Controlled
Substances



For the
State
Of
Arkansas

ARKANSAS DEPARTMENT OF HEALTH

LIST OF CONTROLLED SUBSTANCES

SECTION I AUTHORITY

The following scheduling of these controlled substances has been hereby promulgated pursuant to Arkansas Stat. Ann. §5-64-201 and §5-64-216.

SECTION II PURPOSE

Due consideration has been given applicable Federal regulations, current scientific knowledge regarding the listed substances, the evidence of actual or relative potential for abuse, the history and current patterns of abuse, the risk to the public health, and potential to produce psychic or psychological dependence liability.

SECTION III GENERAL REQUIREMENTS

(Attached copy of the listing of scheduling of controlled substances)

SECTION IV REPEAL

All lists of schedules of controlled substances in conflict herewith are hereby repealed.

CERTIFICATION

The Director of the Department of Health and Secretary for the Arkansas State Board of Health finds imminent peril to public health, safety, or welfare requiring the adoption of the following rule upon fewer than thirty (30) days' notice. Pursuant to notification and request from the Arkansas State Crime Laboratory, the Arkansas Department of Health was informed of two hallucinogenic substances and five synthetic cannabinoids that were recommended for immediate addition to the List of Controlled Substances. These recommendations resulted from recent drug identification case work conducted by the Arkansas State Crime Laboratory.

It is found and determined by the Director of the Department of Health that 25B-NBOH is a derivative of 2C-B, and 25I-NBOH is a derivative of 2C-I, which are substances currently found in Schedule I of the List of Controlled Substances, and should be immediately classified as a Schedule I Controlled Substances. In addition, 5-Fluoro-ADB, 5-Fluoro-MDMB-PICA, MDMB-CHMICA, FUB-AMB and MDMB-FUBINACA are synthetic cannabinoids and should be immediately classified as Schedule VI Controlled Substances. The Director of the Department of Health and Secretary for the Arkansas State Board of Health specifically finds that both hallucinogenic substances and five synthetic cannabinoids have a high potential for abuse and have no accepted medical use in treatment in the United States.

In addition, the U.S. Food and Drug Administration recently approved a drug product in finished dosage formulation that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols. The FDA approved Epidiolex, which contains a purified drug substance cannabidiol, one of more than 80 active chemicals in marijuana, for the treatment of seizures

associated with Lennox-Gastaut syndrome or Dravet syndrome in patients 2 years of age and older. The FDA has concluded that this particular drug product is safe and effective for its intended indication. To follow DEA scheduling, this product should be classified as Schedule V, as it has currently accepted medical use in treatment in the United States; and has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV. Thus, the Director of the Department of Health and Secretary for the Arkansas State Board of Health specifically finds that this product should be immediately classified as Schedule V to protect the public's health.

Wherefore, including the FDA-approved Schedule V substance referenced above, 25B-NBOH, 25I-NBOH, 5-Fluoro-ADB, 5-Fluoro-MDMB-PICA, MDMB-CHMICA, FUB-AMB and MDMB-FUBINACA should be immediately classified Controlled Substances pursuant to Ark. Code Ann. § 5-64-201.

Nathaniel Smith, M.D., M.P.H.
Director, Arkansas Department of Health

Date

ARTICLE II

Schedule I

(a) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) **Opiates: (Narcotic Drugs)** Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, salts is possible within the specific chemical designation (for purposes of paragraph (b) (34) only, the term isomer includes the optical and geometric isomers):

- | | | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| (1) | Acetyl-alpha-methylfentanyl (N-[1-[1-methyl-2-phenethyl]-4-piperidinyl]-N-phenylacetamide) ----- | 9815-(2-86) |
| (2) | Acetylmethadol ----- | 9601* |
| (3) | Allylprodine ----- | 9602* |
| (4) | Alphacetylmethadol (except Levo-alphacetylmethadol (LAAM) ----- | 9603* |
| (5) | Alphameprodine ----- | 9604* |
| (6) | Alphamethadol ----- | 9605* |
| (7) | Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenylethyl-4-piperidyl]propranilide; 1-(1-methyl-2-phenylethyl)-4(N-propanilido)piperidine) ----- | 9814-(6-82) |
| (8) | Alpha-methylthiofentanyl (N-[1-methyl-2-(2thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) ----- | 9832-(2-86) |
| (9) | Benzethidine ----- | 9606* |
| (10) | Betacetylmethadol ----- | 9607* |
| (11) | Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide) ----- | 9830-(2-86) |
| (12) | Beta-hydroxy-3-methylfentanyl
[other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropamamide] ----- | 9831-(2-86) |
| (13) | Betameprodine ----- | 9608* |
| (14) | Betamethadol ----- | 9609* |
| (15) | Betaprodine ----- | 9611* |
| (16) | Clonitazene ----- | 9612* |
| (17) | Dextromoramide ----- | 9613* |
| (18) | Diampromide ----- | 9615* |
| (19) | Diethylthiambutene ----- | 9616* |
| (20) | Difenoxin ----- | 9168* |
| (21) | Dimenoxadol ----- | 9617* |
| (22) | Dimepheptanol ----- | 9618* |
| (23) | Dimethylthiambutene ----- | 9619* |
| (24) | Dioxaphetyl butyrate ----- | 9621* |
| (25) | Dipipanone ----- | 9622* |
| (26) | Ethylmethylthiambutene ----- | 9623* |
| (27) | Etonitazene ----- | 9624* |
| (28) | Etoxeridine ----- | 9625* |
| (29) | Furethidine ----- | 9626* |
| (30) | Hydroxypethidine ----- | 9627* |
| (31) | Ketobemidone ----- | 9628* |
| (32) | Levomoramide ----- | 9629* |
| (33) | Levophenacylmorphane ----- | 9631* |
| (34) | 3-Methylfentanyl (N-[3-Methyl-1-(2-phenylethyl)-4- | |

	piperidyl]-N-Phenylpropanamide) -----	9813-(10-85)
(35)	3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) -----	9833-(2-86)
(36)	Morpheridine -----	9632*
(37)	MPPP (1-methyl-4-phenyl-4-propionoxypiperidine)---	9661-(10-85)
(38)	Noracymethadol -----	9633*
(39)	Norlevorphanol -----	9634*
(40)	Normethadone -----	9635*
(41)	Norpipanone -----	9636*
(42)	Para-fluorofentanyl (N-[4-fluorophenyl]-N-[1-(2-phenethyl)-4-piperidinyl]propanamide -----	9812-(11-86)
(43)	PEPAP 1-(2-phenylethyl)-4-phenyl-4 acetyloxypiperidine -----	9663-(10-85)
(44)	Phenadoxone -----	9637*
(45)	Phenampromide -----	9638*
(46)	Phenomorphan -----	9647*
(47)	Phenoperidine -----	9641*
(48)	Piritramide -----	9642*
(49)	Proheptazine -----	9643*
(50)	Properidine -----	9644*
(51)	Propiram -----	9649*
(52)	Racemoramide -----	9645*
(53)	Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide -----	9835-(2-86)
(54)	Tilidine -----	9750-(9-81)
(55)	Trimeperidine -----	9646*
(56)	Acetyl fentanyl N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide-----	9821
(57)	Butyryl fentanyl N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide-----	9822
(58)	Beta-hydroxythiofentanyl N-{1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl}-N-phenylpropionamide-----	9836
(59)	Acetyl fentanyl 4-methylphenethyl analog N-{1-[2-(4-methylphenyl)ethyl]-4-piperidinyl}-N-phenyl-acetamide monohydrochloride	
(60)	Valeryl fentanyl N-phenyl-N[1-(2-phenylethyl)-4-piperidinyl]-pentanamide monohydrochloride	
(61)	Furanylfentanyl N-(1-(2-phenylethyl)-4-piperidinyl)-N-phenylfuran-2-carboxamide	
(62)	Isobutyryl fentanyl 2-methyl-N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide monohydrochloride	
(63)	Octfentanil N-(2-fluorophenyl)-2-methoxy-N-[1-(2-phenylethyl)piperidin-4-yl]acetamide	
(64)	4-methoxy butyryl fentanyl N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide monohydrochloride	
(65)	Para-fluorobutyryl fentanyl N-(4-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide monohydrochloride	
(66)	Acetyl norfentanyl N-phenyl-N-4-piperidinyl-acetamide monohydrochloride	
(67)	AH-7921 3,4-dichloro-N-[(1dimethylamino)cyclohexylmethyl]benzamide	
(68)	W-18 1-(4-nitrophenylethyl)piperidylidene-2-(4-chlorophenyl)sulfonamide	
(69)	W-15 1-phenylethylpiperidylidene-2-(4-chlorophenyl)sulfonamide	

- (70) MT-45 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine
 (71) U-47700 trans-3,4-dichloro-N-(2-(dimethylamino)
 cyclohexyl)-N-methylbenzamide

(c) **Opium derivatives: (Narcotic Drugs)** Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- | | | |
|------|---------------------------------------------|-------|
| (1) | Acetorphine ----- | 9319* |
| (2) | Acetyldihydrocodeine ----- | 9051* |
| (3) | Benzylmorphine ----- | 9052* |
| (4) | Codeine methylbromide ----- | 9070* |
| (5) | Codeine-N-Oxide ----- | 9053* |
| (6) | Cyprenorphine ----- | 9054* |
| (7) | Desomorphine ----- | 9055* |
| (8) | Dihydromorphine ----- | 9145* |
| (9) | Drotebanol ----- | 9335* |
| (10) | Etorphine (except hydrochloride salt) ----- | 9056* |
| (11) | Heroin ----- | 9200* |
| (12) | Hydromorphanol ----- | 9301* |
| (13) | Methyldesorphine ----- | 9302* |
| (14) | Methyldihydromorphine ----- | 9304* |
| (15) | Morphine methylbromide ----- | 9305* |
| (16) | Morphine methylsulfonate ----- | 9306* |
| (17) | Morphine-N-Oxide ----- | 9307* |
| (18) | Myrophine ----- | 9308* |
| (19) | Nicocodeine ----- | 9309* |
| (20) | Nicomorphine ----- | 9312* |
| (21) | Normorphine ----- | 9313* |
| (22) | Pholcodine ----- | 9314* |
| (23) | Thebacon ----- | 9315* |
| (24) | Mitragynine | |
| (25) | 7-Hydroxymitragynine | |

(d) **Hallucinogenic substances:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substance, or which contains any of its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

- | | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------|--------------|
| (1) | alpha-ethyltryptamine ----- | 7249-(12-93) |
| | Some trade or other names: etryptamine; Monase;
alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)
indole; alpha-ET; and AET. | |
| (2) | 4-bromo-2,5-dimethoxy-amphetamine ----- | 7391* |
| | Some trade or other names: 4-bromo-2,5-dimethoxy-
alpha-methylphenethylamine; 4-bromo-2,5-DMA. | |
| (3) | 4-bromo-2,5-dimethoxyphenethylamine ----- | 7392-(8-95) |
| | Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1
aminoethane; alpha-desmethyl DOB; 2C-B, Nexus. | |
| (4) | 2,5-dimethoxyamphetamine ----- | 7396* |
| | Some trade or other names: 2,5-dimethoxy-alpha-
methylphenethylamine; 2,5-DMA. | |
| (5) | 2,5-dimethoxy-4-ethylamphetamine ----- | 7399-(3-88) |
| | Some trade or other names: DOET. | |
| (6) | 2,5-dimethoxy-4-(n)-propylthiophenethylamine----- | 7348-(1-05) |
| | Some trade or other names: 2C-T-7. | |

- (7) 4-methoxyamphetamine ----- 7411*
Some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA.
- (8) 5-methoxy-3,4-methylenedioxy-amphetamine ----- 7401*
- (9) 4-methyl-2,5-dimethoxyamphetamine ----- 7395*
Some trade and other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP".
- (10) 3,4-methylenedioxy amphetamine ----- 7400*
- (11) 3,4-methylenedioxymethamphetamine ----- 7405-(10-85)
Some trade or other names: MDMA)
- (12) 3,4-methylenedioxy-N-ethylamphetamine ----- 7404-(6-90)
Some trade or other names: N- ethy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA; MDE; MDEA.
- (13) N-hydroxy-3,4-methylenedioxyamphetamine ----- 7402-(6-90)
Some trade or other names: N-hydroxy-alpha-methyl-3, 4(methylenedioxy) phenethylamine; N-hydroxy MDA
- (14) 3,4,5-trimethoxy amphetamine ----- 7390*
- (15) 5-methoxy-n,n-dimethyltryptamine 5-MeO-DMT----- 7431*(01-11)
- (16) alpha-methyltryptamine ----- 7432-(7-05)
Some trade or other names: AMT
- (17) Bufotenine ----- 7433*
Some trade and other names: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.
- (18) Diethyltryptamine ----- 7434*
Some trade or other names: N,N-Diethyltryptamine; DET.
- (19) Dimethyltryptamine ----- 7435*
Some trade or other names: DMT
- (20) 5-methoxy-N,N-diisopropyltryptamine ----- 7439-(7-05)
Some trade or other names: 5-MeO-DIPT.
- (21) Ibogaine ----- 7260*
Some trade and other names: 7-Ethyl-6,6 beta; 7,8,9, 10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1',2': 1,2] azepino [5,4-b] indole; Tabernanthe iboga.
- (22) Lysergic acid diethylamide ----- 7315*
- (23) Mescaline ----- 7381*
- (24) Parahexyl ----- 7374-(7-83)
Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl.
- (25) Peyote ----- 7415*
Meaning all parts of the plant presently classified botanically as *Lophophora williamsii* Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts. (Interprets 21 USC 812 (c), Schedule I (c) (12)).
- (26) N-ethyl-3-piperidyl benzilate ----- 7482*
- (27) N-methyl-3-piperidyl benzilate ----- 7484*
- (28) Psilocybin ----- 7437*
- (29) Psilocyn ----- 7438*
- (30) Ethylamine Analog of phencyclidine ----- 7455*
Some trade or other names:
N-ethyl-1-phenylcyclohexylamine,

- (phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE.
- (31) Pyrrolidine Analog of phencyclidine ----- 7458*
Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP
- (32) Thiophene Analog of phencyclidine ----- 7470*
Some trade or other names: 1-[1-(2-thienyl)cyclohexyl] Piperidine; 2-Thienyl analog of phencyclidine; TPCP; TCP.
- (33) 1-[1-(2-Thienyl)cyclohexyl]pyrrolidine ----- 7473-(9-89)
Some other trade or other names: TCPy.
- (34) N,N-Diallyl-5-Methoxytryptamine; 5-MeO DALT
- (35) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxyphenyl)methyl]ethanamine; 25C-NBOMe
- (36) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxyphenyl)methyl]ethanamine; 25I-NBOMe
- (37) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine; 2C-E----- 7509
- (38) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine; 2C-D---- 7508
- (39) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine; 2C-C---- 7519
- (40) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine; 2C-I----- 7518
- (41) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine;
2C-T-2----- 7385
- (42) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine;
2C-T-4----- 7532
- (43) 2-(2,5-Dimethoxyphenyl)ethanamine; 2C-H----- 7517
- (44) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine; 2C-N---- 7521
- (45) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine;
2C-P----- 7524
- (46) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine;
25B-NBOMe
- (47) 2-[[[2-(4-bromo-2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol;
25B-NBOH
- (48) 2-[[[2-(4-iodo-2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol;
25I-NBOH

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

- (1) Phenazepam
- (2) gamma-hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxydutanolic acid; sodium oxybate; sodium oxybutyrate), and its known precursors and analogs -- 2010-(2-01)
- (3) Mecloqualone ----- 2572*
- (4) Methaqualone ----- 2565*
- (5) Etizolam

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

- (1) Cathinone ----- 1235-(3-88)
- (2) (+) CIS-4-Methylaminorex [(+)CIS-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline] ----- 1590-(6-90)
- (3) Fenethylamine ----- 1503-(9-81)
- (4) N-Benzylpiperazine ----- 7493-(1-05)

- Some trade or other names: BZP, 1-Benzylpiperazine
- (5) N-ethylamphetamine ----- 1475-(6-82)
 - (6) N-[1-(1-benzyl-4-piperidyl)-N-phenylpropanamide
(benzylfentanyl), its optical isomers, salts and
salts of isomers ----- 9818-(2-86)
 - (7) N-[1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropan-
amide (thenylfentanyl), its optical isomers, salts
and salts of isomers ----- 9834-(2-86)
 - (8) N, N, Dimethylamphetamine (some other names: N, N
Alpha-trimethylbenzeneethanamine; N, N, Alpha-
trimethylphenethylamine), its salts, optical
isomers, and salts of optical isomers ----- 1480-(2-89)
 - (9) Methcathinone (some other names:
2-Methylamine-Propiophenone, alpha (methylamino)-
Propiophenone, 2 (methylamino)-1-phenylpropan-1-one,
alpha-N-Methylaminopropiophenone, monomethylpropion,
ephedrone, N-methylcathinone, methycathinone, AL-464,
AL-422, AL-463 and UR-1431), its salts, optical
isomers and salts of optical isomers ----- 1237-(12-93)
 - (10) Aminorex (some other names: aminoraphen, 2-amino-5
phenyl-2-oxazoline, or 4,5 dihyrdo-5-phenyl-2-
oxazolamine, its salts, optical isomers, and salts
of optical isomers ----- 1585-(12-93)
 - (11) Methyl-N-ethylcathinone (MEC)

(b) Any material, compound, mixture, or preparation, whether produced directly or indirectly from a substance of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, that contains any quantity of the following substances, or that contains any of the following substances' analogs, salts, isomers, and salts of isomers when the existence of the analogs, salts, isomers, and salts of isomers is possible within the specific chemical designation, with the following chemical structure is included in Schedule I:

- (1) 4-Methylmethcathinone (Mephedrone) ----- 1248-(3-11)
- (2) Methylenedioxypropylvalerone (MDPV) ----- (3-11)
- (3) 3,4-Methylenedioxy-N-methylcathinone (Methylone)----- 7540-(3-11)
- (4) 4-Methoxymethcathinone ----- (3-11)
- (5) 3-Fluoromethcathinone ----- (3-11)
- (6) 4-Fluoromethcathinone or ----- (3-11)
- (7) 1-(1,3-benzodioxol-5-yl)-2-methylamino)butan-1-one (Butylone)
- (8) Alpha-Pyrrolidinopentiophenone (Alpha-PVP)
- (9) 4-methyl-N-ethylcathinone (4-MEC)
- (10) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP)
- (11) 2-(methylamino)-1-phenylpentan-1-one (Pentedrone)
- (12) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (Pentylone,MBDP)
- (13) 4-fluoro-N-methylcathinone (4-FMC, Flephedrone)
- (14) 3-fluoro-N-methylcathinone (3-FMC)
- (15) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (Naphyrone)
- (16) Alpha-pyrrolidinobutiophenone ([Alpha]-PBP) or
- (17) A compound, unless listed in another schedule or a
legend drug, that is structurally derived from
2-Amino-phenyl-1-propanone by modification or by
substitution:
 - (A) In the phenyl ring to any extent with alkyl,
alkoxy, alkylenedioxy, haloalkyl or halide
substituents, whether or not further
substituted in the phenyl ring by one (1) or
more other univalent substituents;
 - (B) At the 3-position with an alkyl substituent; or

- (C) At the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

Schedule II

(a) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.

(b) **Narcotic Drugs:** Substances, vegetable origin or chemical synthesis. Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

- (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrophan, nalbuphine, nalmeferine, naloxone and naltrexone and their respective salts, but including the following:

(1) Raw opium -----	9600*
(2) Opium extracts -----	9610*
(3) Opium fluid extracts -----	9620*
(4) Powdered opium -----	9639*
(5) Granulated opium -----	9640*
(6) Tincture of opium -----	9630*
(7) Codeine -----	9050*
(8) Dihydroetorphine-----	9334*
(9) Ethylmorphine -----	9190*
(10) Etorphine hydrochloride -----	9059*
(11) Hydrocodone -----	9193*
(12) Hydromorphone -----	9150*
(13) Metopon -----	9260*
(14) Morphine -----	9300*
(15) Oripavine -----	9330*(9-07)
(16) Oxycodone -----	9143*
(17) Oxymorphone -----	9652*
(18) Thebaine -----	9333*
(19) Tapentadol -----	9780-(5-09)
- (2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (b) (1) of this section, except that these substances shall not include the isoquinoline alkaloids of opium.*
- (3) Opium poppy and poppy straw.*
- (4) Coca leaves (9040) and any salt, compound, derivative, or preparation of coca leaves, (including cocaine (9041) and ecgonine (9180) and their salts, isomers, derivatives and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.*
- (5) Concentrate or poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrine alkaloids of the opium poppy), 9670.*

(c) **Opiates: (Narcotic Drugs)** Unless specifically excepted or unless in another schedule, any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters and ethers whenever the existence of

such isomers, esters, ethers, and salts is possible within the specific chemical designations:

(1)	Alfentanil -----	9737-(2-87)
(2)	Alphaprodine -----	9010*
(3)	Anileridine -----	9020*
(4)	Bezitramide -----	9800*
(5)	Bulk Dextropropoxyphene (non-dosage forms) -----	9273-(9-81)
(6)	Carfentanil -----	9743-(9-88)
(7)	Dihydrocodeine -----	9120*
(8)	Diphenoxylate -----	9170*
(9)	Fentanyl -----	9801*
(10)	Isomethadone -----	9226*
(11)	Levo-alphaacetylmethadol (LAAM) -----	9648-(12-93)
(12)	Levomethorphan -----	9210*
(13)	Levorphanol -----	9220*
(14)	Metazocine -----	9240*
(15)	Methadone -----	9250*
(16)	Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane -----	9254*
(17)	Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid -----	9802*
(18)	Pethidine (Meperidine) -----	9230*
(19)	Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine -----	9232*
(20)	Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate -----	9233*
(21)	Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid -----	9234*
(22)	Phenazocine -----	9715*
(23)	Piminodine -----	9730*
(24)	Racemethorphan -----	9732*
(25)	Racemorphan -----	9733*
(26)	Remifentanil -----	9739-(11-96)
(27)	Sufentanil -----	9740-(9-81)

(d) **Stimulants:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1)	Amphetamine, its salts, optical isomers, and salts of its optical isomers -----	1100*
(2)	Methamphetamine, its salts, isomers, and salts of its isomers -----	1105*
(3)	Lisdexamefetamine -----	1205*(7-07)
(4)	Phenmetrazine and its salts -----	1631*
(5)	Methylphenidate -----	1724*

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

(1)	Amobarbital -----	2125*
(2)	Glutethimide -----	2550-(2-91)
(3)	Pentobarbital -----	2270*
(4)	Phencyclidine -----	7471*
(5)	Secobarbital -----	2315*

(f) **Hallucinogenic Substances:**

- (1) Nabilone ----- 7379-(11-87)
 [Another name for nabilone:(+))trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pran-9-one].

(g) **Immediate Precursor:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

- (1) Immediate precursor to Amphetamine and Methamphetamine:
 (i) Phenylacetone ----- 8501-(3-80)
 Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl Ketone; methyl benzyl Ketone.
- (2) Immediate precursor to Phencyclidine (PCP):
 (i) 1-phenylcyclohexylamine ----- 7460*
 (ii) 1-piperidinocyclohexanecarbonitrile (PCC) ----- 8603*
- (3) Immediate precursor to Fentanyl:
 (i) 4-anilino-n-phenethyl-4-piperidine (ANPP) ----- 8333*(08-10)

Schedule III

(a) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) **Stimulants:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under Section 308.32, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances----- 1405*
- (2) Benzphetamine ----- 1228*
- (3) Chlorphentermine ----- 1645*
- (4) Clortermine ----- 1647*
- (5) Phendimetrazine ----- 1615*

(c) **Depressants:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

- (1) Any compound, mixture, or preparation containing:
 (i) Amobarbital ----- 2126*
 (ii) Secobarbital ----- 2316*
 (iii) Pentobarbital ----- 2271*
 (iv) Embutramide ----- 2020*(9-06)
 or any salt thereof and one or more other active medicinal ingredients which are not

listed in any schedule.

- (2) Any suppository dosage form containing:
- (i) Amobarbital ----- 2126*
 - (ii) Secobarbital ----- 2316*
 - (iii) Pentobarbital ----- 2271*
- or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.
- (3) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof---- 2100*
- (4) Chlorhexadol ----- 2510*
- (5) Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act----- 2012-(2-01)
- (6) Ketamine. its salts, isomers, and salts of isomers--- 7285-(7-99)
Some other names for Ketamine: (+)-2-(2-Chlorophenyl)-2-(Methylamino)-Cyclohexanone.
- (7) Lysergic acid ----- 7300*
- (8) Lysergic acid amide ----- 7310*
- (9) Methyprylon ----- 2575*
- (10) fondioethylmethane ----- 2600*
- (11) Sulfonethylmethane ----- 2605*
- (12) Sulfonmethane ----- 2610*
- (13) Tiletamine and zolazepam or any salt thereof ----- 7295-(3-88)
Some trade or other name for a tiletamine-zolazepam combination product: Telazol.
Some trade or other names for tiletamine: -2(ethylamino)-2-(2-thienyl)-cyclohexanone.
Some trade or other names for zolazepam: -4(2-fluorophenyl)-6,8-dihydro-1,3,8,-trimethylpyrazolo-[3,4-e] [1,4,]-diazepin-7(1-H)-one. flupyrzapon.
- (14) Perampanel ----- 2261-(11-13)
- (d) Nalorphine ----- 9400*
- (e) Narcotic drugs: Unless specifically excepted or unless listed in another schedule:
- (1) any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:
 - (i) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium ----- 9803*
 - (ii) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts ----- 9804*
 - (iii) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active

- nonnarcotic ingredients in recognized
therapeutic amounts ----- 9807*
- (iv) Not more than 300 milligrams of ethylmorphine
per 100 milliliters or not more than 15
milligrams per dosage unit, with one or more
active, nonnarcotic ingredients in recognized
therapeutic amounts ----- 9808*
- (v) Not more than 500 milligrams of opium per 100
milliliters or per 100 grams or not more than
25 milligrams per dosage unit, with one or more
active nonnarcotic ingredients in recognized
therapeutic amounts ----- 9809*
- (vi) Not more than 50 milligrams of morphine per 100
milliliters or per 100 grams, with one or more
active, nonnarcotic ingredients in recognized
therapeutic amounts ----- 9810*
- (2) Any material, compound, mixture, or preparation
containing any of the following narcotic drugs or
their salts, as set forth below:
- (i) Buprenorphine ----- 9064-(6-85)
(10-02 Transfer)
- (ii) Reserved

(f) **Anabolic Steroids:** Unless specifically excepted or unless listed in
another schedule, any material, compound, mixture, or preparation containing any
quantity of the following substances, including its salts, isomers, and salts of
isomers whenever the existence of such salts of isomers is possible within the
specific chemical designation: Items 1-28 ----- 4000-(9-91)

- (1) Boldenone;
- (2) Boldione; (01-10)
- (3) Chlorotestosterone (4-chlortestosterone);
- (4) Clostebol;
- (5) Dehydrochlormethyltestosterone;
- (6) Desoxymethyltestosterone (01-10)
- (7) Dihydrotestosterone (4-dihydrotestosterone);
- (8) Drostanolone;
- (9) Ethylestrenol;
- (10) Fluoxymesterone;
- (11) Formebolone (formebolone);
- (12) Mesterolone;
- (13) Methandienone;
- (14) Methandranone;
- (15) Methandriol;
- (16) Methandrostenolone;
- (17) Methenolone;
- (18) Methyltestosterone;
- (19) Mibolerone;
- (20) Nandrolone;
- (21) 19-Nor-4,9(10)-Androstadienedione (01-10)
- (22) Norethandrolone;
- (23) Oxandrolone;
- (24) Oxymesterone;
- (25) Oxymetholone;
- (26) Stanolone;
- (27) Stanozolol;
- (28) Testolactone;
- (29) Testosterone;
- (30) Trenbolone
- (31) Prostanazol----- (8-12)

- (32) Methasterone----- (8-12);
and
- (33) Any salt, ester, or isomer of a drug or
substance described or list in this paragraph,
if that salt, ester, or isomer promotes muscle
growth.
- (1) Exempt anabolic steroid products: Compounds,
mixtures, or preparations that contain an anabolic
steroid that have been exempted by the Director:
- | | NDC Number |
|-----------------------------------------------------------------------------------------|---------------|
| (1) Andro-Estro 90-4----- | 0536-1605 |
| (2) Androgyn L.A.----- | 0456-1005 |
| (3) Component E-H in Process Pellets----- | Ivy Labs Inc. |
| (4) Component E-H in Process Granulation----- | Ivy Labs Inc. |
| (5) Component TE-S in process Granulation----- | Ivy Labs Inc. |
| (6) Component TE-S in process Pellets----- | Ivy Labs Inc. |
| (7) depANDROGYN----- | 0456-1020 |
| (8) Depo-Testadiol----- | 0009-0253 |
| (9) DEPO-T.E.----- | 52765-257 |
| (10) depTESTROGEN----- | 51698-257 |
| (11) Duomone----- | 52047-360 |
| (12) DUO-SPAN II----- | 0684-0102 |
| (13) DURATESTRIN----- | 43797-016 |
| (14) Essian----- | Pharmaceutics |
| (15) Essian H.S.----- | Pharmaceutics |
| (16) Esterified Estrogens & Methyltestosterone, USP
(0.625 mg/1.25mg)----- | Interpharm |
| (17) Esterified Estrogens & Methyltestosterone, USP
(1.25mg/2.5mg)----- | Interpharm |
| (18) Esterified Estrogens & Methyltestosterone
(0.625mg/1.25mg) Tablet----- | ANDAPharm |
| (19) Esterified Estrogens & Methyltestosterone
(1.25mg/2.5mg) Tablet----- | ANDAPharm |
| (20) Estratest----- | 0032-1026 |
| (21) Estratest HS----- | 0032-1023 |
| (22) Menogen----- | 59243-570 |
| (23) Menogen HS----- | 59243-560 |
| (24) Methyltestosterone & Esterified Estrogens
(2.5mg/1.25Mg)----- | Lannett Co |
| (25) Methyltestosterone & Esterified Estrogens (Half
Strength) (1.25mg/0.625mg)----- | Lannett Co |
| (26) PAN ESTRA TEST----- | 0525-0175 |
| (27) Premarin with Methyltestosterone----- | 0046-0879 |
| (28) Premarin with Methyltestosterone----- | 0046-0878 |
| (29) Syntest D.S.----- | 66576-231 |
| (30) Stntest H.S.----- | 66576-230 |
| (31) Synovex H in process bulk pellets----- | Syntex Animal |
| (32) Synovex H in process granulation----- | Syntex Animal |
| (33) Synovex Plus in process granulation----- | Fort Dodge |
| (34) Synovex Plus in process bulk pellets----- | Fort Dodge |
| (35) TEST-ESTRO Cypionates----- | 0536-9470 |
| (36) Testoderm with Adhesive 4mg/d----- | Alza Corp. |
| (37) Testoderm 4mg/d----- | 17314-4608 |
| (38) Testoderm 6mg/d----- | 17314-4609 |
| (39) Testoderm with Adhesive 6mg/d----- | 17314-2836 |
| (40) Testoderm in process film----- | Alza Corp. |
| (41) Testoderm with Adhesive in process film----- | Alza Corp. |
| (42) Testosterone Cypionate/Estradiol Cypionate
injection ----- | 54274-530 |

- (43) Testosterone Cypionate/Estradiol Cypionate
injection----- 0182-3069
- (44) Testosterone Cyp 50 Estradiol Cyp 2----- 0814-7737
- (45) Testosterone Cypionate/Estradiol Cypionate
injection----- 0364-6611
- (46) Testosterone Cypionate/Estradiol Cypionate
injection----- 0402-0257
- (47) Testosterone Enanthate/Estradiol Valerate
injection----- 0182-3073
- (48) Testosterone Enanthate/Estradiol Valerate
injection----- 0364-6618
- (49) Testosterone Enanthate/Estradiol Valerate
injection----- 0402-0360
- (50) Testosterone Ophthalmic Solution----- Allergan
- (51) Tilapia Sex Reversal Feed (investigational)----- Ranger, Inc.
- (2) Veterinary Anabolic Steroid Implant Products:
Anabolic steroid products expressly intended for
administration through implants in cattle or other
nonhuman species exempted by the Director.

	NDC/DIN
(1) Component E-H -----	021641-002
(2) Component E-H -----	01968327
(3) Component TE-S -----	021641-004
(4) Component T-H-----	0211641-006
(5) Component T-S -----	0211641-005
(6) F-TO -----	00093351
(7) Finaplix-H -----	12799-807-10
(8) Finaplix-S -----	12799-807-07
(9) Heifer-old -----	Boehringer
(10) Heifer-old -----	Ingelheim
(11) Heifer-old -----	Ivy Lab.
(12) Implus-H -----	0009-0434-01
(13) Implus-H -----	06-0434-01
	01968327
(14) Masculinizing Feed for Fish (Investigational) -	Rangen, Inc.
(15) Revalor-G -----	12799-811
(16) Revalor-H -----	12799-810
(17) Revalor-S -----	12799-809
(18) Synovex H -----	0856-3901
(19) Synovex H -----	Syntex
(20) Synovex Plus -----	0856-3904
Tilapia Sex Reversal Feed (investigational) -----	Zeigier Bros.

If veterinary products that are granted exempted status are subsequently distributed with the intent that they be used in humans, the distribution would be subject to the criminal sanctions of the CSA despite the drugs' exempted status.

(g) **Hallucinogenic substances:**

- (1) Dronabinol (synthetic) in sesame oil and
encapsulated in a soft gelatin capsule in a
U.S. Food and Drug Administration approved
drug product ----- 7369-(11-87)
- [Some other names for dronabinol:
(6a R-trans)-6a,7,8, 10a-tetrahydro-6, 6,
9-trimethyl-3-pentyl-6H-dibenzo [b,d]
phyran-1-ol, or (-)-delta 9-(trans)-
tetrahydrocannabinol]

Schedule IV

(a) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

(b) **Narcotic drugs:** Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

- (1) Not more than 1 milligram of difenoxin
and not less than 25 micrograms of atropine
sulfate per dosage unit.----- 9167*
- (2) Dextro propoxyphene (alpha-+)-4-dimethylamino-
1,2-diphenyl-3-methyl-2-propionoxybutane) ----- 9278-(11-87)

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

- (1) Alprazolam ----- 2882-(6-82)
- (2) Barbitol ----- 2145*
- (3) Bromazepam ----- 2748-(1-85)
- (4) Camazepam ----- 2749-(1-85)
- (5) Chloral betaine ----- 2460*
- (6) Chloral hydrate ----- 2465*
- (7) Chlordiazepoxide ----- 2744*
- (8) Clobazam ----- 2751-(1-85)
- (9) Clonazepam ----- 2737*
- (10) Clorazepate ----- 2768*
- (11) Clotiazepam ----- 2752-(1-85)
- (12) Cloxazolam ----- 2753-(1-85)
- (13) Delorazepam ----- 2754-(1-85)
- (14) Diazepam ----- 2765*
- (15) Dichloralphenazone ----- 2467-(10-02)
- (16) Estazolam ----- 2756-(1-85)
- (17) Ethchlorvynol ----- 2540*
- (18) Ethinamate ----- 2545*
- (19) Ethyl loflazepate ----- 2758-(1-85)
- (20) Fludiazepam ----- 2759-(1-85)
- (21) Flunitrazepam ----- 2763-(1-85)
- (22) Flurazepam ----- 2767*
- (23) Fospropofol ----- 2138-(11-09)
- (24) Halazepam ----- 2762-(6-82)
- (25) Haloxazolam ----- 2771-(1-85)
- (26) Ketazolam ----- 2772-(1-85)
- (27) Loprazolam ----- 2773-(1-85)
- (28) Lorazepam ----- 2885*
- (29) Lormetazepam ----- 2774-(1-85)
- (30) Mebutamate ----- 2800*
- (31) Medazepam ----- 2836-(1-85)
- (32) Meprobamate ----- 2820*
- (33) Methohexital ----- 2264*
- (34) Methylphenobarbital (mephobarbital) ----- 2250*
- (35) Midazolam ----- 2884-(1-85)
- (36) Nimetazepam ----- 2837-(1-85)
- (37) Nitrazepam ----- 2834-(1-85)

(38)	Nordiazepam -----	2838-(1-85)
(39)	Oxazepam -----	2835*
(40)	Oxazolam -----	2839*
(41)	Paraldehyde -----	2585*
(42)	Petrichloral -----	2591*
(43)	Phenobarbital -----	2285*
(44)	Pinazepam -----	2883-(1-85)
(45)	Prazepam -----	2764*
(46)	Quazepam -----	2881-(11-86)
(47)	Temazepam -----	2925-(9-81)
(48)	Tetrazepam -----	2886-(1-85)
(49)	Triazolam -----	2887-(7-83)
(50)	Zaleplon -----	2781-(9-99)
(51)	Zolpidem -----	2783-(12-93)
(52)	Zopiclone-----	2784-(01-06)
(53)	Alfaxalone-----	2731-(02-14)
(54)	Carisoprodol -----	8192-(4-97)
(55)	Tramadol -----	9752-(8-07)
(56)	Suvorexant -----	2223-(8-14)

(d) **Fenfluramine**: Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

(1) Fenfluramine ----- 1670*

(e) **Stimulants**: Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1)	Cathine ((+)-Norpseudeophrine)-----	1230-(3-88)
(2)	Diethylpropion -----	1610*
(3)	Fencamfamin -----	1760-(3-88)
(4)	Fenproporex -----	1575-(3-88)
(5)	Mazindol -----	1605-(6-82)
(5)	Mefenorex -----	1580-(3-88)
(6)	Modafinil-----	1680-(1-99)
(7)	Pemoline (including organometallic complexes and chelates thereof) -----	1530*
(9)	Phentermine -----	1640*
(10)	Pipradrol -----	1750-(9-81)
(11)	Sibutramine -----	1675-(2-98)
(12)	SPA ((-)-1-dimethylamino-1,2,diphenylethane) -----	1635-(9-81)
(13)	Lorcaserin -----	1625-(6-13)

(f) **Other substances**: Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts; isomers whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

(1)	Pentazocine -----	9709-(4-79)
(2)	Butorphanol -----	9720-(4-97)
(3)	Nalbuphine -----	(4-97)
(4)	Eluxadoline -----	9725

Schedule V

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

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

Reserved

(c) **Narcotic drugs containing nonnarcotic active medicinal ingredients.** Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- * (1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.
- * (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.
- * (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.
- * (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.
- * (5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.
- * (6) Not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(d) **Stimulants:** unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

- (1) Pyrovalerone ----- 1485-(3-88)
- (2) Ephedrine: a -{(Methylamino)ethyl}benzene-methanol; (10-95)
a-{(methylamino) ethyl}benzyl alcohol;
2-methylamino-1-phenyl-1-propanol;
1-phenyl-1-hydroxy-2-methylaminopropane;
1-phenyl-2-methylaminopropanol;
a - hydroxy-b-methylaminopropylbenzene;
a product which occurs in the Chinese herb
Ma Huang (Ephedra vulgaris, Ephedra sinica Stapf.,
Ephedra equisetina Bunge, Gnetaceae) in several
other Ephedra spp.
- (3) Phenylpropanolamine ----- (7-05)
- (4) Pseudoephedrine ----- (7-05)

Pursuant to Ark. Code Ann. § 5-64-212 as amended in 2005, this Schedule V classification shall NOT apply to any ephedrine, phenylpropanolamine, or pseudoephedrine in liquid, liquid capsule, or liquid gel capsule form. However, sales limits mandated by statute shall apply to all products with ephedrine, phenylpropanolamine, or pseudoephedrine as a listed ingredient regardless of the dosage form.

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

- (1) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid]----- 2782-(01-06)
- (2) Lacosamide ----- 2746-(05-09)
- (3) Brivaracetam ----- 2710

(f) Other substances:

- (1) A drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol(2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols.

Schedule VI**

(a) In addition to any substance placed in Schedule VI by the Director of the Department of Health under § 5-64-214, any material, compound, mixture, or preparation, whether produced directly or indirectly from a substance of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, that contains any quantity of the following substances, or that contains any of their salts, isomers, and salts of isomers when the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation, is included in Schedule VI:

- (1) Marijuana
- (2) Tetrahydrocannabinols
- (3) A synthetic equivalent of:
 - (A) The substance contained in the Cannabis plant; or
 - (B) The substance contained in the resinous extractives of the genus Cannabis;
- (4) Salvia divinorum or Salvinorin A, which includes all parts of the plant presently classified botanically as Salvia divinorum, whether growing or not, the seeds of the plant, any extract from any part of the plant, and every compound, manufacture, derivative, mixture, or preparation of the plant, its seeds, or its extracts, including salts, isomers, and salts of isomers when the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation;
- (5) Synthetic substances, derivatives, or their isomers in the chemical structural classes described below in subdivisions (a) (5) (A)-(J) of this section and also specific unclassified substances in subdivision (a) (5) (K) of this section. Compounds of the structures described in this subdivision (a) (5), regardless of numerical designation of atomic positions, are included in this subdivision (a) (5). The synthetic substances, derivatives, or their isomers included in this subdivision (a) (5) are:
 - (A) (i) Tetrahydrocannabinols, including without limitation the following:
 - (a) Delta-1 cis or trans tetrahydrocannabinol, and its optical isomers;
 - (b) Delta-6 cis or trans tetrahydrocannabinol, and its optical isomers; and
 - (c) Delta-3.4 cis or trans tetrahydrocannabinol, and its optical isomers.
 - (ii) Dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States Food and Drug Administration is not a tetrahydrocannabinol under this subdivision (a) (5) (A);

- (B) Naphthoylindoles, or any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including without limitation the following
- (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
 - (ii) JWH-015, or 1-Propyl-2-methyl-3-(1-naphthoyl)indole;
 - (iii) JWH-018, or 1-Propyl-3-(1-naphthoyl)indole;
 - (iv) JWH-019, or 1-Hexyl-3-(1-naphthoyl)indole;
 - (v) JWH-073, or 1-Butyl-3-(1-naphthoyl)indole;
 - (vi) JWH-081, or 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole;
 - (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole
 - (viii) JWH-122, or 1-Pentyl-3-(4-methyl-1-naphthoyl)indole;
 - (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
 - (x) JWH-200, or 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole;
 - (xi) JWH-210, or 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole;
 - (xii) JWH-398, or 1-Pentyl-3-(4-chloro-1-naphthoyl)indole;
 - (xiii) AM-2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;
 - (xiv) MAM2201, or (1-(5-fluoropentyl)-1H-indol-3-yl) (4-methyl-1-naphthalenyl)-methanone; and
 - (xv) EAM2201, or (1-(5-fluoropentyl)-1H-indol-3-yl) (4-ethyl-1-naphthalenyl)-methanone;
- (C) Naphthylmethylindoles, or any compound structurally derived from an H-indol-3-yl-(1-naphthyl) methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including without limitation the following:
- (i) JWH-175, or 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane; and
 - (ii) JWH-184, or 1-Pentyl-1H-3-yl-(4-methyl-1-naphthyl)methane;
- (D) Naphthoylpyrroles, or any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including without limitation JWH-307, or (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone;
- (E) Naphthylmethylindenes, or any compound structurally derived from 1-(1-naphthylmethyl)indene with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent, including without limitation JWH-176, or E-1-[1-(1-Naphthalenylmethylene)-1H-inden-3-yl]pentane;
- (F) Phenylacetylindoles, or any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of

the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent, including without limitation the following:

- (i) JWH-201, or 2-(4-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone;
 - (ii) JWH-203, or 1-Pentyl-3-(2-chlorophenylacetyl)indole;
 - (iii) JWH-250, or 1-Pentyl-3-(2-methoxyphenylacetyl)indole;
 - (iv) JWH-251, or 1-Pentyl-3-(2-methylphenylacetyl)indole; and
 - (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
- (G) Cyclohexylphenols, or any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent, including without limitation the following:
- (i) CP 47,497 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol;
 - (ii) Cannabicyclohexanol or CP 47,497 C8 homologue, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol; and
 - (iii) CP 55,940, or 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-phenol;
- (H) Benzoylindoles, or any compound structurally derived from a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent, including without limitation the following:
- (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
 - (ii) RCS-4, or 1-Pentyl-3-(4-methoxybenzoyl)indole;
 - (iii) WIN-48,098 or Pravadoline, or (4-Methoxyphenyl)-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone;
 - (iv) AM-2233, or 1-[(N-methylpiperidin-2-yl)methyl]-3-(2-iodobenzoyl)indole; and
 - (v) RCS-4 (C4 homologue) or (4-methoxyphenyl)(1-butyl-1H-indol-3-yl)-methanone;
- (I) Adamantoylindoles, or Adamantoylindazoles, including Adamantyl Carboxamide Indoles and Adamantyl Carboxamide Indazoles, or any compound structurally derived from 3-(1-adamantoyl)indole, 3-(1-adamantoyl)indazole, or 3-(2-adamantoyl)indazole by substitution at a nitrogen atom of the indole or indazole ring with alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole or indazole ring to any extent and whether or not substituted in the adamantyl ring to any extent, including without limitation the following:
- (i) AM-1248, or 1-adamantyl-[1-[(1-methylpiperidin-2-yl)methyl]indol-3-yl]methanone;
 - (ii) AB-001, or 1-adamantyl-(1-pentylindol-3-yl)methanone;
 - (iii) 2NE1, or 1-pentyl-3-(1-adamantylamido)indole;

- (iv) JWH-018 adamantyl carboxamide, or 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indole-3-carboxamide;
 - (v) AKB-48, or N-(1-adamantyl)-pentyl-1H-indazole-3-carboxamide;
 - (vi) 5F-AKB-48, or N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide;
 - (vii) STS-135, or N-(1-adamantyl)-1-(5-fluoropentyl)indole-3-carboxamide;
 - (viii) MAB-CHMINACA, or N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide
 - (ix) AB-FUBINICA, or N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide;
 - (x) ADB-PINACA, or N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide;
- (J) Tetramethylcyclopropylcarbonylindoles or any compound structurally derived from 3-(2,2,3,3-tetramethylcyclopropylcarbonyl) indole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent, including without limitation the following:
- (i) UR-144, or (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone;
 - (ii) XLR-11, or [1-(5-fluoropentyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone;
 - (iii) A-796,260, or [1-(2-morpholin-4-yl-ethyl)-1H-indol-3-yl] (2,2,3,3-tetramethylcyclopropyl)methanone;
 - (iv) 5-Chloro-UR-144, or ([1-(5-chloropentyl)-1H-indol-3-yl] (2,2,3,3-tetramethylcyclopropyl)methanone;
 - (v) 5-Bromo-UR-144, or [1-(5-bromopentyl)-1H-indol-3-yl] (2,2,3,3-tetramethylcyclopropyl)methanone; and
 - (vi) A-834,735, or 1-(tetrahydropyran-4-ylmethyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone; or
- (K) Unclassified Synthetic Cannabinoids, including without limitation the following:
- (i) CP 50556-1 hydrochloride, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
 - (ii) HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
 - (iii) HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
 - (iv) Dimethylheptylpyran or DMHP;
 - (v) WIN55,212-2, or 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl-1-naphthalenylmethanone;
 - (vi) URB597, or [3-(3-carbamoylphenyl)phenyl] N-cyclohexylcarbamate;
 - (vii) URB754, or 6-methyl-2-[(4-methylphenyl)amino]-1-benzoxazin-4-one;
 - (viii) AKB-48, or N-(1-adamantyl)-1-pentylindazole-3-carboxamide;
 - (ix) CB-13, or 1-naphthalenyl[4-(pentyloxy)-1-naphthalenyl]-methanone;
 - (x) URB602, or cyclohexyl N-(3-phenylphenyl) carbamate;

- (xi) PB-22, or quinolin-8-yl 1-(5-pentyl)-1H-indole-3-carboxylate;
 - (xii) 5F-PB-22, or quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate;
 - (xiii) BB-22, or quinolin-8-yl 1-(cyclohexylmethyl)-1H-indole-3-carboxylate;
 - (xiv) NNEI (MN-24), or N-1-naphthalenyl-1-pentyl-1H-indole-3-carboxamide;
 - (xv) 5F-NNEI, or 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-carboxamide;
 - (xvi) 5-Flouro-AMB, or n-[[1-(5-fluoropentyl)-1H-indazol-3-yl]carbonyl]-L-valine methyl ester;
 - (xvii) MMB_CHMICA, or methyl-(1-cyclohexylmethyl)-1H-indole-3-carbonyl)-L-valinate;
 - (xviii) 5-Fluoro-ADB, or methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate;
 - (xix) 5-Fluoro-MDMB-PICA, or methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
 - (xx) MDMB-CHMICA, or methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
 - (xxi) FUB-AMB, or methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate;
 - (xxii) MDMB-FUBINACA, or methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate;
- (6) A synthetic substance, derivative, or its isomers with:
- (A) Similar chemical structure to any substance described in subdivisions (a)(1)-(5) of this section; or
 - (B) Similar pharmacological effects to any substance described in subdivisions (a)(1)-(5) of this section.

(b) However, director shall not delete a controlled substance listed in this section from Schedule VI.

(c)(1) If notice has been given to the director that the United States Food and Drug Administration has designated, rescheduled, or descheduled a marijuana-derived substance under federal law and approved for marketing the marijuana-derived substance as a prescription medication, the director shall consider the designation, rescheduling, or descheduling of the marijuana-derived substance under this chapter.

*-Scheduled before April, 1979.

**-Schedule VI is revised to conform to Act 329 of 2013.



**STATE OF ARKANSAS
BUREAU OF
LEGISLATIVE RESEARCH**

Marty Garrity, Director
Kevin Anderson, Assistant Director
for Fiscal Services
Tim Carlock, Assistant Director
for Information Technology
Matthew Miller, Assistant Director
for Legal Services
Richard Wilson, Assistant Director
for Research Services

Memorandum

TO: Members, ALC – Executive Subcommittee

**CC: Marty Garrity, Director, Bureau of Legislative Research;
Jessica Sutton, Administrator, Administrative Rules Review Section, Legal Services
Division**

**FROM: Kathryn Henry, Legislative Attorney, Administrative Rules Review Section, Legal
Services Division**

DATE: April 5, 2019

**SUBJECT: Legal Authorization for Department of Health Emergency Rule Concerning List of
Controlled Substances**

The Director of the Department of Health shall administer the Uniform Controlled Substances Act, Ark. Code Ann. § 5-64-101 et seq., and may add a substance to or delete or reschedule any substance enumerated in a schedule under the procedures of the Arkansas Administrative Procedure Act, § 25-15-201 et seq. *See* Ark. Code Ann. § 5-64-201(a)(1)(A)(i). Additionally, the Director may promulgate without action or approval of the State Board of Health an emergency rule that adds a substance to or deletes a substance from a schedule or reschedules a substance. *See* Ark. Code Ann. § 5-64-201(a)(1)(A)(ii). The emergency rule may be effective for no longer than 180 days. *See* Ark. Code Ann. § 5-64-201(a)(1)(A)(iii). In making a determination regarding a substance, the director shall consider the following: (1) the actual or relative potential for abuse; (2) the scientific evidence of its pharmacological effect, if known; (3) the state of current scientific knowledge regarding the substance; (4) the history and current pattern of abuse; (5) the scope, duration and significance of abuse; (6) the risk to public health; (7) the potential of the substance to produce psychic or physiological dependence liability; and (8) whether the substance is an immediate precursor of a substance already controlled under the Uniform Controlled Substances Act. *See* Ark. Code Ann. § 5-64-201(a)(2).

The agency proposes the following changes to the List of Controlled Substances and the reasons for its changes, as follows:

- (1) Upon request and notification by the Arkansas State Crime Laboratory, to add to the list of Schedule I substances, 25B-NBOH and 251-NBOH, both hallucinogenic substances. The agency cites a high potential for abuse and no accepted medical use in treatment in the United States, and states that they should be immediately classified as Schedule I Controlled Substances.

(2) Upon request and notification by the Arkansas State Crime Laboratory, to add to the list of Schedule VI substances, 5-Fluoro-ADB, 5-Fluoro-MDMB PICA, MDMB- CHMICA, FUB-AMB, MDMB-FUBINACA, all of which are synthetic cannabinoids. The agency cites that the substances have no accepted medical use in treatment in the United States; there is a lack of accepted safety for use of the substances even under direct medical supervision; there is a relatively high psychological or physiological dependence liability, or both; and the substances present a definite risk to public health. The agency states that they should be immediately classified as Schedule VI Controlled Substances.

(3) To follow scheduling by the DEA, to add to the list of Schedule V substances, a drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols. The agency states that this product has low potential for abuse relative to the controlled substances listed in Schedule IV, has currently accepted medical use in treatment in the United States, has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV, and should immediately be classified as a Schedule V Controlled Substance.