Arkansas Department of Health

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Governor Asa Hutchison
Nathaniel Smith, MD, MPH, Director and State Health Officer

SUMMARY OF PROPOSED AMENDMENTS TO RULES AND REGULATIONS PERTAINING TO THE LIST OF CONTROLLED SUBSTANCES FOR THE STATE OF ARKANSAS

The proposed listed amendments update List of Controlled Substances to include these drugs. Items one through nine are additions made to the controlled substance list per Emergency Rule. The following items listed will include Emergency Rule additions and listed substances by current rule making procedure.

1. 25B-NBOH. 2-[[[2-(4-bromo-2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol. Page 5, (47). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this hallucinogenic substance with no recognized medical use be included into Schedule I. Page 5, (47).

2. 25I-NBOH. 2-[[[2-(4-iodo-2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol, Page 5, (48). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this hallucinogenic substance with no recognized medical use be included into Schedule I. Page 5, (48).

3. 5-Fluoro-ADB. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate. Page 21, (K)(xviii). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this synthetic cannabinoid with no recognized medical use be included into Schedule VI. Page 21, (K), (xviii).

4. 5-Fluoro-MDMB-PICA. methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate. Page 21, (K), (xix). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this synthetic cannabinoid with no recognized medical use be included into Schedule VI. Page 21, (K), (xix).

5. MDMB-CHMICA. methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate. Page 21, (K)(xx). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this synthetic cannabinoid with no recognized medical use be included into Schedule VI. Page 21, (K), (xx).

6. FUB-AMB. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate. Page 21, (K), (xxi). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this synthetic cannabinoid with no recognized medical use be included into Schedule VI. Page 21, (K), (xxi).

7. MDMB-FUBINACA. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate. Page 21, (K)(xxii). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this synthetic cannabinoid with no recognized medical use be included into Schedule VI. Page 21, (K), (xxii).

8. The addition of a section in Schedule V titled Other Substances page 17, (f). To incorporate the addition of a new Schedule V substance by DEA.

9. 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. Page 17, (f), (1). To follow DEA scheduling, this drug would be included as Schedule V. Page 17, (f), (1).

10. AB-PINACA. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-caroboxamide. Page 21, (K)(xxiii). The DEA has scheduled this

synthetic cannabinoid because it has no recognized medical use. This drug would be included as Schedule VI. Page 21, (K), (xxiii).

11. AB-CHMINACA. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide. Page 21, (K), (xxiv). The DEA has scheduled this synthetic cannabinoid because it has no recognized medical use. This drug would be included as Schedule VI. Page 21, (K), (xxiv).

12. THJ-2201. [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone. Page 18, (B), (xvi). The DEA has scheduled this synthetic cannabinoid because it has no recognized medical use. This drug would be included as Schedule VI. Page 18, (B), (xvi).

13. Dronabinol in an oral solution in a drug product approved for marketing by the U.S. Food and Drug Administration; [(-)-delta-9-trans-tetrahydrocannabinol (delta-9-THC)], Page 9, (f), (2). To follow DEA scheduling, this drug would be included as Schedule II. Page 9, (f), (2).

14. 25E-NBOMe. 2-(4-ethyl-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine. Page 5, (49). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this hallucinogenic substance with no recognized medical use be included into Schedule I. Page 5, (49).

15. 25H-NBOMe. 2-(2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine, Page 5, (50). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this hallucinogenic substance with no recognized medical use be included into Schedule I. Page 5, (50).

16. 25C-NBOH. 2-[[[2-(4-chloro-2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol. Page 5, (51). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this hallucinogenic substance with no recognized medical use be included into Schedule I. Page 5, (51).

17. 25H-NBOH. 2-[[[2-(2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol, Page 5, (52). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this hallucinogenic substance with no recognized medical use be included into Schedule I. Page 5, (52).

18. N-Ethylpentylone. 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one. Page 7, (11), (b), (18). Felisia Lackey, Chief Forensic Chemist-Drug Section, Arkansas State Crime Laboratory, requested that this stimulant substance with no recognized medical use be included into Schedule I. Page 7, (11), (b), (18).

19. Two items with typos marked for clean-up.
    - Page 20, I, (ix).
    - Page 21, (K) (xvi).

List Of Controlled Substances

For the State Of Arkansas

DRAFT

Pursuant to the provisions of Arkansas Code Annotated § 5-64-201 and § 5-64-216 of the laws of the State of Arkansas, the Director of the Arkansas Department of Health or duly authorized agent, as specified by law, is giving public notice of the publication of the List of Controlled Substances for the State of Arkansas.

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.

Based on these considerations the attached listing of the Schedule of Controlled Substances and the corresponding drugs that are included in each schedule is hereby promulgated by the Director of the Arkansas Department of Health as the List of Controlled Substances for the State of Arkansas.

Each controlled substance or basic class thereof has been assigned an "Administration Controlled Substance Code Number" for purposes of identification. These numbers are for internal management and are used as a means to identify substances with complex and cumbersome chemical names.

Next to the code number is the date the substance was placed in schedule by the Director of the Arkansas Department of Health.

I, Shane David, Pharm.D., Section Chief of Pharmacy Services for the Arkansas Department of Health, do hereby certify that the documents attached hereto are true and correct copies of the current List of Controlled Substances adopted by the Arkansas State Board of Health in accordance with Arkansas state law.

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Shane David, Pharm.D., Section Chief
Pharmacy Services Branch

STATE OF ARKANSAS)
)
COUNTY OF SALINE)

I, Marci Middleton, do hereby certify that Shane David, Pharm.D., well known to me, appeared before me and signed the above referenced document.

Sworn and subscribed to before me this day of , 2018.

_____

Notary Public

_____

My commission expires

DRAFT

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

This will certify the following list of scheduling of controlled substances was adopted by the Arkansas State Board of Health at a session of the Board held in Little Rock, Arkansas on the ~~25th day of January , 2018, and after a Public Hearing on the 5th day of December, 2017, held~~ in Little Rock, Arkansas, at the State Department of Health Building.

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Nathaniel Smith, M.D., MPH
Director, Arkansas Department of Health

DRAFT

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-phenyl) ethyl-4-piperidyl]propronanilide; 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) Levophenacylmorphan ---------- 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-phenenthyl)-4-piperindinyl]propananmide ---------- 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 monohydro chloride
(65) Para-fluorobutyryl fentanyl N-(4-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide mono hydrochloride
(66) Acetyl norfentanyl N-phenyl-N-4-piperidinyl-acetamide monohydrochloride
(67) AH-7921 3,4-dichloro-*N*-[(1dimethylamino)cyclohexyl methyl]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) Hydromorphinol ---------- 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-alphamethylphenethylamine; "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)cylcohexyl]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

(49) 2-(4-ethyl-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine; 25E-NBOMe

(50) 2-(2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine; 25H-NBOMe

(51) 2-[[[2-(4-chloro-2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol; 25C-NBOH

(52) 2-[[[2-(2,5-dimethoxyphenyl)ethyl]amino]methyl]-phenol; 25H-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-hydroxydutanoic 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-oxazolamine] ---------- 1590-(6-90)
(3) Fenethylline ---------- 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-phenylpropanmide (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-Proprophenone, alpha (methylamino)-Proprophenone, 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) Methylenedioxypyrovalerone (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.

(18) N-Ethylpentylone, or 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one

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, dextrorphan, nalbuphine, nalmefene, 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-alphacetylmethadol (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].
(2) Dronabinol in an oral solution in a drug product approved for marketing by the U.S.Food and Drug Administration;[(-)-delta-9-trans-tetrahydrocannabinol(delta-9-THC)].------7365

(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 Fentyl:
(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) fondiethylmethane ---------- 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. flupyrazapon.

(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) Formebulone (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) Prostanozol----------(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 (Invesitigational) -	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) Barbital ---------- 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 (mephorbarbital) ---------- 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 ((+)-Norpseudeophedrine)---------- 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-morpholiny)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;

(xvi) THJ-2201, or [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)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-napthylmethyl)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-y]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)indole 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 adamantly 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[3.3.1.13,7]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-FUBINACA, or N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-flurorobenzyl)-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 ([-(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-Fluoro-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;
(xxiii) AB-PINACA. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-caroboxamide;
(xxiv) AB-CHMINACA. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide

(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.

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

DEPARTMENT/AGENCY Arkansas Department of Health

DIVISION Pharmacy Services and Drug Control

DIVISION DIRECTOR Shane David, Pharm.D.

CONTACT PERSON Shane David, Pharm.D.

ADDRESS Slot 25, 4815 West Markham, Little Rock, AR 72205

PHONE NO. 501 661-2325 **FAX NO.** 501 661-2769 **E-MAIL** shane.david@arkansas.gov

NAME OF PRESENTER AT COMMITTEE MEETING Laura Shue, General Counsel

PRESENTER E-MAIL 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
One Capitol Mall, 5th Floor
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. _____

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? (Portion of list is in effect via emergency rule 11/01/18—05/01/19)

When does the emergency rule expire? _____

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 the 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?
Update to the List of Controlled Substances for the State of Arkansas.

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).
http://www.healthyarkansas.com/rules_regs/rules_regs.htm

9. Will a public hearing be held on this proposed rule? Yes ☒ No ☐
If yes, please complete the following:

Date: 01/16/19
Time: 10:00 a.m.
Place: Room #2512 of the Dept. of Health Bldg. at 4815 West Markham, Little Rock, AR

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)
January 16, 2019, 4:30 p.m.

11. What is the proposed effective date of this proposed rule? (Must provide a date.)
May 1, 2019

12. Please provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication of said notice. _____

13. Please provide proof of filing the rule with the Secretary of State and the Arkansas State Library as required pursuant to Ark. Code Ann. § 25-15-204(e). _____

14. 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 501 661-2325 **FAX** 501 661-2769 **EMAIL:** shane.david@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), 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

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes ☒ No ☐

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

   If an agency is proposing a more costly rule, please state the following:

   (a) How the additional benefits of the more costly rule justify its additional cost;

   (b) The reason for adoption of the more costly rule;

   (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

   (d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

   (a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year		**Next Fiscal Year**	
General Revenue	0	General Revenue	0
Federal Funds	0	Federal Funds	0
Cash Funds	0	Cash Funds	0

Special Revenue	0	Special Revenue	0
Other (Identify)	0	Other (Identify)	0
Total	0	Total	0

(b) What is the additional cost of the state rule?

Current Fiscal Year		**Next Fiscal Year**	
General Revenue	0	General Revenue	0
Federal Funds	0	Federal Funds	0
Cash Funds	0	Cash Funds	0
Special Revenue	0	Special Revenue	0
Other (Identify)	0	Other (Identify)	0
Total	0	Total	0

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year	**Next Fiscal Year**
$ 0	$ 0

This is an uncontrolled and unregulated substance. 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 state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year	**Next Fiscal Year**
$ 0	$ 0

This is an uncontrolled and unregulated substance. It would be purely speculative as to the revenue loss that might occur for those selling the product.

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars ($100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

(1) a statement of the rule's basis and purpose;

(2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;

(3) a description of the factual evidence that:
    (a) justifies the agency's need for the proposed rule; and
    (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;

(4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and

(7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
    (a) the rule is achieving the statutory objectives;
    (b) the benefits of the rule continue to justify its costs; and
    (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.