ARKANSAS REGISTER

Transmittal Sheet

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Effective Date _____ Code Number _____

Name of Agency Board of Health

Department Department of Health/Center for Health Protection/Pharmacy Services and Drug Control Branch

Contact James Myatt E-mail James.M.Myatt@arkansas.gov Phone 501-661-2751

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 5-64-201 and 5-64-216

Rule Title: List of Controlled Substances

Intended Effective Date
(Check One)

- [x] Emergency (ACA 25-15-204)
- [ ] 30 Days After Filing (ACA 25-15-204)
- [ ] Other _____
  (Must be more than 30 days after filing date.)

	Date
Legal Notice Published	N/A
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Reviewed by Legislative Council	1N/A
Adopted by State Agency	05/21/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Robert Brech	robert.brech@arkansas.gov	05/21/2012
Contact Person	**E-mail Address**	**Date**

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Rick Hogan
Signature

501-661-2252 rick.hogan@arkansas.gov
Phone Number **E-mail Address**

General Counsel
Title

2/13/2012
Date

Revised 8/2011 to reflect new legislation passed in 2011.

List Of Controlled Substances

For the State Of Arkansas

STATE OF ARKANSAS
CONTROLLED SUBSTANCES LIST
DATE

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, James Myatt, P.D., Branch 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.

James Myatt, P.D., Pharmacist/Investigator
Pharmacy Services

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, Nancy Cox, do hereby certify that James Myatt, P.D., well known to me, appeared before me and signed the above referenced document.

Sworn and subscribed to before me this 21st day of May, 2012

Notary Public

2-1-2016
My commission expires

OFFICIAL SEAL
NANCY COX
No. 12346049
PULASKI COUNTY
My Commission Expires 2-1-2016
NOTARY PUBLIC 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

In accordance with Ark. Code Ann. §§ 25-15-204(b) and 5-64-203-204, 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 twenty (20) days' notice. It is found and determined by the Director of the Department of Health and the Secretary of the Arkansas State Board of Health that phenazepam, sometimes spelled "fenazepam", is a benzodiazepine drug which should be immediately classified as a Schedule I Controlled Substance pursuant to Ark. Code Ann. §5-64-203. Phenazepam is "marketed" as not being for human consumption, but all indications are that it is being used despite the fact that the FDA has not approved its use. The potency of phenazepam is five times that of diazepam and the half-life is reported to be as much as 60 hours. Additionally, because of the long half-life of the drug, users can easily overdose. In the United States, recreational use has recently increased with reports of driving impairment, severe toxicity, and human fatalities, especially when consumed in concert with opioids and other drugs.

Phenazepam is being marketed in Arkansas in such a way as to avoid existing regulations. Products come in attractive, flashy packages that tend to appeal to teens and first time drug users. The Arkansas State Crime Laboratory has processed three cases involving phenazepam and the Arkansas Poison and Drug Information Center recently purchased a product marketed as a phenazepam. There are also reports of phenazepam

being used in combination with other designer drugs such as synthetic cannabinoids. This is particularly concerning because phenazepam is prone to toxic drug-drug interactions, and United States currently has a high incidence of synthetic cannabinoid use, with one in nine high school seniors reporting synthetic cannabinoids usage within the last year.

Wherefore, the Director of the Department of Health and Secretary for the Arkansas State Board of Health specifically finds that phenazepam 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 Substance pursuant to Ark. Code Ann. §§5-64-203 and 5-64-204.

Therefore, an emergency is hereby declared to exist and this Rule, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after May 21, 2012.

Paul K. Halverson, DrPH.
Director,
Arkansas Department of Health

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*

(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*

(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)cylcohexyl]pyrrolidine ---------- 7473-(9-89)
Some other trade or other names: TCPy.

(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 ---------- (5-12)

(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*

(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-phenylpropan-mide (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)

(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); ----------(3-11)

(2) Methylenedioxypyrovalerone (MDPV); ----------3-11)

(3) 3,4-Methylenedioxy-N-methylcathinone (Methylone);--------(3-11)

(4) 4-Methoxymethcathinone;----------(3-11)

(5) 3-Fluoromethcathinone;----------(3-11)

(6) 4-Fluoromethcathinone; or----------(3-11)

(7) A compound, unless listed in another schedule or a legend drug, that is structurally derived from 2-Amino-1-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 systhesis. 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].

(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.

(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 300 milligrams of dihydrocodeinone(hydrocodone) per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium ---------- 9805*

(iv) Not more than 300 milligrams of dihydrocodeinone(hydrocodone) per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active non-narcotic ingredients in recognized therapeutic amounts ---------- 9806*

(v) 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*

(vi) 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*

(vii) 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*

(viii) 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; and
(31) Any salt, ester, or isomer of a drug or substance described or listed 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
(4)	Component E-H in Process Granulation	Labs Inc.
(5)	depANDROGYN	0456-1020
(6)	Depo-Testadiol	0009-0253
(7)	DEPO-T.E.	52765-257
(8)	depTESTROGEN	51698-257
(9)	Duomone	52047-360
(10)	DUO-SPAN II	0684-0102
(11)	DURATESTRIN	43797-016
(12)	Esterfied Estrogens & Methyltestosterone (1.25mg/2.5mg)	Interpham
(13)	Esterfied Estrogens & Methyltestosterone (0.625mg/1.25mg)	ANDAPharm
(14)	Esterfied Estrogens & Methyltestosterone (1.25mg/2.5mg)	ANDAPharm
(15)	Estratest	0032-1026
(16)	Estratest HS	0032-1023
(17)	Menogen	59243-570
(18)	Menogen HS	59234-560
(19)	Methyltestosterone & Esterfied Estrogens (2.5mg/1.25Mg)	Lannett CO
(20)	Methyltestosterone & Esterfied Estrogens (1.25mg/0.625mg)	Lannett CO
(21)	PAN ESTRA TEST	0525-0175
(22)	Premarin with Methyltestosterone	0046-0879
(23)	Premarin with Methyltestosterone	0046-0878
(24)	Syntest D.S.	66576-231
(25)	Stntest H.S.	66576-230
(26)	Synovex H in process bulk pellets	Syntex
(27)	Synovex H in process granulation	Animal Health
(28)	Synovex Plus in process granulation	Fort Dodge
(29)	Synovex Plus in process bulk pellets	Animal Health
(30)	Testagen	55553-257
(31)	TEST-ESTRO Cypionates	0536-9470
(32)	Testoderm with adhesive 4mg/d	Alza Corp.
(33)	Testoderm 4mg/d	17314-4608
(34)	Testoderm 6mg/d	17314-4609
(35)	Testoderm with Adhesive 6mg/d	17314-2836

(36) Testoderm in process film---------- Alza Corp.
(37) Testoderm with Adhesive in process film---------- Alza Corp.
(38) Testosterone Cypionate/Estradiol Cypionate injection- 54274-530
(39) Testosterone Cypionate/Estradiol Cypionate injection- 0182-3069
(40) Testosterone Cyp 50 Estradiol Cyp2---------- 0814-7737
(41) Testosterone Cypionate/Estradiol Cypionate injection- 0364-6611
(42) Testosterone Cypionate/Estradiol Cypionate Injection- 0402-0257
(43) Testosterone Cypionate/Estradiol Cypionate injection- 0404-0257
(44) Testosterone Enanthate/Estradiol Valerate injection—- 0182-3073
(45) Testosterone Enanthate/Estradiol Valerate injection—- 0364-6618
(46) Testosterone Enanthate/Estradiol Valerate injection—- 0402-0360
(47) Testosterone Ophthalmic Solution---------- Allergan
(48) 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)

(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)

(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) Carisoprodol ---------- (4-97)
(3) Butorphanol ---------- 9720 (4-97)
(4) Nalbuphine ---------- (4-97)
(5) Tramadol ---------- (8-07)

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.

(1) *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)

(1) [Reserved]

(2) Lacosamide ---------- 2746-(05-09)

Schedule VI

(a) Any material, compound, mixture, or preparation, whether produced directly or indirectly from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, which contains any quantity of the following substances, or which contains any of their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation are included in Schedule VI:

(1) Marihuana ---------- 7360*

(2) Tetrahydrocannabinols ---------- 7370*
Meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant),

(3) A synthetic equivalent~~s~~ of the substance contained in the cannabis plant, or the substance contained in the resinous extractives of the genus Cannabis

(4)A substance with the chemical structure of:

(A) 5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-3 hydroxycyclohexyl]-phenol or otherwise known by CP-47,497;

(B) 5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-5 phenol or otherwise known by either cannabicyclohexanol or CP-47,497 C8 homologue;

(C) 1-Butyl-3-(1-naphthoyl)indole or otherwise known by JWH-073;

(D) 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole or otherwise known by JWH-200;

(E) 1-Pentyl-3-(1-naphthoyl)indole or otherwise known by JWH-018 and AM678;

(F) (4-methoxy-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone or otherwise known by JWH-081; or

(G) 1-(1-pentyl-1H-indol-3-yl)-2-(2-methoxyphenyl)-ethanone or otherwise known by JWH-250;

(5) 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; or

(6) A synthetic substances, derivatives, and their isomers with:

(A) Similar chemical structure to any substance described in subdivisions (a)(1)-(4) of this section or

(B) Similar pharmacological activity to any substance described in subdivisions (a)(1)-(4) of this section such as the following:

1	cis or trans tetrahydrocannabinol, and their optical isomers. Excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration.
6	cis or trans tetrahydrocannabinol, and their optical isomers.
3, 4	cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

(b) Provided, that the director shall not delete the controlled substances listed in this section from Schedule VI.

*-Scheduled before April, 1979.

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 Paul Halverson, DrPH, FACHE

CONTACT PERSON James Myatt, P. D.

ADDRESS 4815 West Markham Slot 25 Little Rock, AR 72205

PHONE NO. 501 661-2325 **FAX NO.** 501 661-2769 **E-MAIL** james.m.myatt@arkansas.gov

NAME OF PRESENTER AT COMMITTEE MEETING James Myatt, P.D.

PRESENTER E-MAIL james.m.myatt@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.

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 21, 2012

   When does the emergency rule expire? November 17, 2012

   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?
To add phenazepam to the list of Schedule I substances. Phenazepam 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 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).

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: July 12, 2012

Time: 10:00

Place: 5th Floor Media Room, 4815 West Markham, Little Rock

10. When does the public comment period expire for permanent promulgation? (Must provide a date.) July 12, 2012

11. What is the proposed effective date of this proposed rule? (Must provide a date.) May 21, 2012

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 James Myatt, P. D.
TELEPHONE NO. 501 661-2325 **FAX NO.** 501 661-2769 **EMAIL:** james.m.myatt@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

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.

Attached

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		**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 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	**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 the agency to implement this rule? Is this the cost of the program or grant? Please explain.

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

ECONOMIC IMPACT STATEMENT
OF PROPOSED RULES OR REGULATIONS
EO 05-04: Regulatory Flexibility

Department Department of Health
Division Legal
Contact Person Robert Brech
Date 5/21/2012
Contact Phone 501-661-2297
Contact Email robert.brech@arkansas.gov

Title or Subject List of Controlled Substances

Benefits of the Proposed Rule or Regulation

1. Explain the need for the proposed change(s). Did any complaints motivate you to pursue regulatory action? If so, please explain the nature of such complaints.
   There is a grave concern regarding the use of phenazepam and its adverse health affects.

2. What are the top three benefits of the proposed rule or regulation?
   Protect the public health, stop the sale of an unapproved product, and reduce the adverse health affects.

3. What, in your estimation, would be the consequence of taking no action, thereby maintaining the status quo?
   The continued use of an unapproved product that is threatening the health of Arkansans.

4. Describe market-based alternatives or voluntary standards that were considered in place of the proposed regulation and state the reason(s) for not selecting those alternatives.
   There are no alternatives or voluntary standards that are applicable.

Impact of Proposed Rule or Regulation

5. Estimate the cost to state government of *collecting information, completing paperwork, filing, recordkeeping, auditing and inspecting* associated with this new rule or regulation.
   Any economic impact will be negligible.

6. What types of small businesses will be required to comply with the proposed rule or regulation? Please estimate the number of small businesses affected.
   Any small business selling this unapproved product. It is unknown how many businesses sell the product.

7. Does the proposed regulation create barriers to entry? If so, please describe those barriers and why those barriers are necessary.
   N/A

8. Explain the additional requirements with which small business owners will have to comply and estimate the costs associated with compliance.
   There should be no costs other than the loss of revenue. Any estimate would be speculative.

9. State whether the proposed regulation contains different requirements for different sized entities, and explain why this is, or is not, necessary.
   This rule will affect both small and large businesses in a similar manner.

10. Describe your understanding of the ability of small business owners to implement changes required by the proposed regulation.
    Any business can easily comply by stopping the sale or distribution of the product.

11. How does this rule or regulation compare to similar rules and regulations in other states or the federal government?
    Louisiana has proposed a similar ban.

12. Provide a summary of the input your agency has received from small business or small business advocates about the proposed rule or regulation.
    None.