

SECOND REGULAR SESSION

SENATE BILL NO. 655

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CROWELL.

Pre-filed December 1, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

3223S.011

AN ACT

To repeal sections 195.017 and 195.417, RSMo, and to enact in lieu thereof one new section relating to the regulation of methamphetamine precursor substances, with penalty provisions.

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

Section A. Sections 195.017 and 195.417, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 195.017, to read as follows:

195.017. 1. The department of health and senior services shall place a substance in Schedule I if it finds that the substance:

- (1) Has high potential for abuse; and
- (2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

- (1) The controlled substances listed in this subsection are included in Schedule I;
- (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (a) Acetyl-alpha-methylfentanyl;
- (b) Acetylmethadol;
- (c) Allylprodine;
- (d) Alphacetylmethadol;
- (e) Alphameprodine;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- 18 (f) Alphamethadol;
19 (g) Alpha-methylfentanyl;
20 (h) Alpha-methylthiofentanyl;
21 (i) Benzethidine;
22 (j) Betacetylmethadol;
23 (k) Beta-hydroxyfentanyl;
24 (l) Beta-hydroxy-3-methylfentanyl;
25 (m) Betameprodine;
26 (n) Betamethadol;
27 (o) Betaprodine;
28 (p) Clonitazene;
29 (q) Dextromoramide;
30 (r) Diampromide;
31 (s) Diethylthiambutene;
32 (t) Difenoxin;
33 (u) Dimenoxadol;
34 (v) Dimepheptanol;
35 (w) Dimethylthiambutene;
36 (x) Dioxaphetyl butyrate;
37 (y) Dipipanone;
38 (z) Ethylmethylthiambutene;
39 (aa) Etonitazene;
40 (bb) Etoxeridine;
41 (cc) Furethidine;
42 (dd) Hydroxypethidine;
43 (ee) Ketobemidone;
44 (ff) Levomoramide;
45 (gg) Levophenacilmorphan;
46 (hh) 3-Methylfentanyl;
47 (ii) 3-Methylthiofentanyl;
48 (jj) Morpheridine;
49 (kk) MPPP;
50 (ll) Noracymethadol;
51 (mm) Norlevorphanol;
52 (nn) Normethadone;
53 (oo) Norpipanone;

54 (pp) Para-fluorofentanyl;

55 (qq) PEPAP;

56 (rr) Phenadoxone;

57 (ss) Phenampromide;

58 (tt) Phenomorphan;

59 (uu) Phenoperidine;

60 (vv) Piritramide;

61 (ww) Proheptazine;

62 (xx) Properidine;

63 (yy) Propiram;

64 (zz) Racemoramide;

65 (aaa) Thiofentanyl;

66 (bbb) Tilidine;

67 (ccc) Trimeperidine;

68 (3) Any of the following opium derivatives, their salts, isomers and salts
69 of isomers unless specifically excepted, whenever the existence of these salts,
70 isomers and salts of isomers is possible within the specific chemical designation:

71 (a) Acetorphine;

72 (b) Acetyldihydrocodeine;

73 (c) Benzylmorphine;

74 (d) Codeine methylbromide;

75 (e) Codeine-N-Oxide;

76 (f) Cyprenorphine;

77 (g) Desomorphine;

78 (h) Dihydromorphine;

79 (i) Drotebanol;

80 (j) Etorphine (except hydrochloride salt);

81 (k) Heroin;

82 (l) Hydromorphenol;

83 (m) Methyldesorphine;

84 (n) Methyldihydromorphine;

85 (o) Morphine methylbromide;

86 (p) Morphine methylsulfonate;

87 (q) Morphine-N-Oxide;

88 (r) Myrophine;

89 (s) Nicocodeine;

- 90 (t) Nicomorphine;
- 91 (u) Normorphine;
- 92 (v) Pholcodine;
- 93 (w) Thebacon;
- 94 (4) Any material, compound, mixture or preparation which contains any
- 95 quantity of the following hallucinogenic substances, their salts, isomers and salts
- 96 of isomers, unless specifically excepted, whenever the existence of these salts,
- 97 isomers, and salts of isomers is possible within the specific chemical designation:
- 98 (a) 4-bromo-2, 5-dimethoxyamphetamine;
- 99 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- 100 (c) 2,5-dimethoxyamphetamine;
- 101 (d) 2,5-dimethoxy-4-ethylamphetamine;
- 102 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 103 (f) 4-methoxyamphetamine;
- 104 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 105 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 106 (i) 3,4-methylenedioxyamphetamine;
- 107 (j) 3,4-methylenedioxymethamphetamine;
- 108 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 109 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 110 (m) 3,4,5-trimethoxyamphetamine;
- 111 (n) Alpha-ethyltryptamine;
- 112 (o) Alpha-methyltryptamine;
- 113 (p) Bufotenine;
- 114 (q) Diethyltryptamine;
- 115 (r) Dimethyltryptamine;
- 116 (s) 5-methoxy-N,N-diisopropyltryptamine;
- 117 (t) Ibogaine;
- 118 (u) Lysergic acid diethylamide;
- 119 (v) Marijuana or marihuana;
- 120 (w) Mescaline;
- 121 (x) Parahexyl;
- 122 (y) Peyote, to include all parts of the plant presently classified botanically
- 123 as Lophophora Williamsil Lemaire, whether growing or not; the seeds thereof; any
- 124 extract from any part of such plant; and every compound, manufacture, salt,
- 125 derivative, mixture or preparation of the plant, its seed or extracts;

- 126 (z) N-ethyl-3-piperidyl benzilate;
- 127 (aa) N-methyl-3-piperidyl benzilate;
- 128 (bb) Psilocybin;
- 129 (cc) Psilocyn;
- 130 (dd) Tetrahydrocannabinols naturally contained in a plant of the genus
- 131 Cannabis (cannabis plant), as well as synthetic equivalents of the substances
- 132 contained in the cannabis plant, or in the resinous extractives of such plant, or
- 133 synthetic substances, derivatives, and their isomers with similar chemical
- 134 structure and pharmacological activity to those substances contained in the plant,
- 135 such as the following:
- 136 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 137 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 138 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 139 d. Any compounds of these structures, regardless of numerical designation
- 140 of atomic positions covered;
- 141 (ee) Ethylamine analog of phencyclidine;
- 142 (ff) Pyrrolidine analog of phencyclidine;
- 143 (gg) Thiophene analog of phencyclidine;
- 144 (hh) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 145 (ii) Salvia divinorum;
- 146 (jj) Salvinorin A;
- 147 (5) Any material, compound, mixture or preparation containing any
- 148 quantity of the following substances having a depressant effect on the central
- 149 nervous system, including their salts, isomers and salts of isomers whenever the
- 150 existence of these salts, isomers and salts of isomers is possible within the
- 151 specific chemical designation:
- 152 (a) Gamma-hydroxybutyric acid;
- 153 (b) Mecloqualone;
- 154 (c) Methaqualone;
- 155 (6) Any material, compound, mixture or preparation containing any
- 156 quantity of the following substances having a stimulant effect on the central
- 157 nervous system, including their salts, isomers and salts of isomers:
- 158 (a) Aminorex;
- 159 (b) N-benzylpiperazine;
- 160 (c) Cathinone;
- 161 (d) Fenethylamine;

162 (e) Methcathinone;

163 (f) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

164 (g) N-ethylamphetamine;

165 (h) N,N-dimethylamphetamine;

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

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

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

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

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

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

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

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

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

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

189 (a) Opium and opiate and any salt, compound, derivative or preparation
190 of opium or opiate, excluding apomorphine, thebaine-derived butorphanol,
191 dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their
192 respective salts but including the following:

193 a. Raw opium;

194 b. Opium extracts;

195 c. Opium fluid;

196 d. Powdered opium;

197 e. Granulated opium;

- 198 f. Tincture of opium;
199 g. Codeine;
200 h. Ethylmorphine;
201 i. Etorphine hydrochloride;
202 j. Hydrocodone;
203 k. Hydromorphone;
204 l. Metopon;
205 m. Morphine;
206 n. Oxycodone;
207 o. Oxymorphone;
208 p. Thebaine;
209 (b) Any salt, compound, derivative, or preparation thereof which is
210 chemically equivalent or identical with any of the substances referred to in this
211 subdivision, but not including the isoquinoline alkaloids of opium;
212 (c) Opium poppy and poppy straw;
213 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
214 leaves, and any salt, compound, derivative, or preparation thereof which is
215 chemically equivalent or identical with any of these substances, but not including
216 decocainized coca leaves or extractions which do not contain cocaine or ecgonine;
217 (e) Concentrate of poppy straw (the crude extract of poppy straw in either
218 liquid, solid or powder form which contains the phenanthrene alkaloids of the
219 opium poppy);
220 (2) Any of the following opiates, including their isomers, esters, ethers,
221 salts, and salts of isomers, whenever the existence of these isomers, esters, ethers
222 and salts is possible within the specific chemical designation, dextrorphan and
223 levopropoxyphene excepted:
224 (a) Alfentanil;
225 (b) Alphaprodine;
226 (c) Anileridine;
227 (d) Bezitramide;
228 (e) Bulk dextropropoxyphene;
229 (f) Carfentanil;
230 (g) Butyl nitrite;
231 (h) Dihydrocodeine;
232 (i) Diphenoxylate;
233 (j) Fentanyl;

- 234 (k) Isomethadone;
- 235 (l) Levo-alphaacetylmethadol;
- 236 (m) Levomethorphan;
- 237 (n) Levorphanol;
- 238 (o) Metazocine;
- 239 (p) Methadone;
- 240 (q) Meperidine;
- 241 (r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- 242 (s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic
243 acid;
- 244 (t) Pethidine (meperidine);
- 245 (u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 246 (v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 247 (w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic
248 acid;
- 249 (x) Phenazocine;
- 250 (y) Piminodine;
- 251 (z) Racemethorphan;
- 252 (aa) Racemorphan;
- 253 (bb) Remifentanil;
- 254 (cc) Sufentanil;
- 255 (3) Any material, compound, mixture, or preparation which contains any
256 quantity of the following substances having a stimulant effect on the central
257 nervous system:
- 258 (a) Amphetamine, its salts, optical isomers, and salts of its optical
259 isomers;
- 260 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 261 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 262 (d) Phenmetrazine and its salts;
- 263 (e) Methylphenidate;
- 264 (4) Any material, compound, mixture, or preparation which contains any
265 quantity of the following substances having a depressant effect on the central
266 nervous system, including its salts, isomers, and salts of isomers whenever the
267 existence of those salts, isomers, and salts of isomers is possible within the
268 specific chemical designation:
- 269 (a) Amobarbital;

- 270 (b) Glutethimide;
- 271 (c) Pentobarbital;
- 272 (d) Phencyclidine;
- 273 (e) Secobarbital;
- 274 (5) Any material or compound which contains any quantity of nabilone;
- 275 (6) Any material, compound, mixture, or preparation which contains any
- 276 quantity of the following substances:
- 277 (a) Immediate precursor to amphetamine and methamphetamine:
- 278 Phenylacetone;
- 279 (b) Immediate precursors to phencyclidine (PCP):
- 280 a. 1-phenylcyclohexylamine;
- 281 b. 1-piperidinocyclohexanecarbonitrile (PCC).
- 282 5. The department of health and senior services shall place a substance
- 283 in Schedule III if it finds that:
- 284 (1) The substance has a potential for abuse less than the substances listed
- 285 in Schedules I and II;
- 286 (2) The substance has currently accepted medical use in treatment in the
- 287 United States; and
- 288 (3) Abuse of the substance may lead to moderate or low physical
- 289 dependence or high psychological dependence.
- 290 6. The controlled substances listed in this subsection are included in
- 291 Schedule III:
- 292 (1) Any material, compound, mixture, or preparation which contains any
- 293 quantity of the following substances having a potential for abuse associated with
- 294 a stimulant effect on the central nervous system:
- 295 (a) Benzphetamine;
- 296 (b) Chlorphentermine;
- 297 (c) Clortermine;
- 298 (d) Phendimetrazine;
- 299 (2) Any material, compound, mixture or preparation which contains any
- 300 quantity or salt of the following substances or salts having a depressant effect on
- 301 the central nervous system:
- 302 (a) Any material, compound, mixture or preparation which contains any
- 303 quantity or salt of the following substances combined with one or more active
- 304 medicinal ingredients:
- 305 a. Amobarbital;

- 306 b. Secobarbital;
- 307 c. Pentobarbital;
- 308 (b) Any suppository dosage form containing any quantity or salt of the
- 309 following:
- 310 a. Amobarbital;
- 311 b. Secobarbital;
- 312 c. Pentobarbital;
- 313 (c) Any substance which contains any quantity of a derivative of
- 314 barbituric acid or its salt;
- 315 (d) Chlorhexadol;
- 316 (e) Embutramide;
- 317 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
- 318 contained in a drug product for which an application has been approved under
- 319 Section 505 of the federal Food, Drug, and Cosmetic Act;
- 320 (g) Ketamine, its salts, isomers, and salts of isomers;
- 321 (h) Lysergic acid;
- 322 (i) Lysergic acid amide;
- 323 (j) Methyprylon;
- 324 (k) Sulfondiethylmethane;
- 325 (l) Sulfonethylmethane;
- 326 (m) Sulfonmethane;
- 327 (n) Tiletamine and zolazepam or any salt thereof;
- 328 (3) Nalorphine;
- 329 (4) Any material, compound, mixture, or preparation containing limited
- 330 quantities of any of the following narcotic drugs or their salts:
- 331 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
- 332 more than ninety milligrams per dosage unit, with an equal or greater quantity
- 333 of an isoquinoline alkaloid of opium;
- 334 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not
- 335 more than ninety milligrams per dosage unit with one or more active, nonnarcotic
- 336 ingredients in recognized therapeutic amounts;
- 337 (c) Not more than three hundred milligrams of hydrocodone per one
- 338 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
- 339 fourfold or greater quantity of an isoquinoline alkaloid of opium;
- 340 (d) Not more than three hundred milligrams of hydrocodone per one
- 341 hundred milliliters or not more than fifteen milligrams per dosage unit, with one

342 or more active nonnarcotic ingredients in recognized therapeutic amounts;

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

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

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

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

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

359 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
360 pharmacologically related to testosterone (other than estrogens, progestins,
361 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except
362 an anabolic steroid which is expressly intended for administration through
363 implants to cattle or other nonhuman species and which has been approved by
364 the Secretary of Health and Human Services for that administration. If any
365 person prescribes, dispenses, or distributes such steroid for human use, such
366 person shall be considered to have prescribed, dispensed, or distributed an
367 anabolic steroid within the meaning of this paragraph. Unless specifically
368 excepted or unless listed in another schedule, any material, compound, mixture
369 or preparation containing any quantity of the following substances, including its
370 salts, esters and ethers:

371 (a) 3 β ,17-dihydroxy-5 α -androstane;

372 (b) 3 α ,17 β -dihydroxy-5 α -androstane;

373 (c) 5 α -androstan-3,17-dione;

374 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);

375 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);

376 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);

377 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);

- 378 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
379 (i) 4-androstenedione (androst-4-en-3,17-dione);
380 (j) 5-androstenedione (androst-5-en-3,17-dione);
381 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
382 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
383 (m) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
384 (n) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
385 (o) Dehydrochloromethyltestosterone
386 (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);
387 (p) Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-3-one);
388 (q) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
389 (r) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
390 (s) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
391 (t) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
392 (u) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
393 (v) Furazabol (17 α -methyl-17 β -hydroxyandrostan[2,3-c]-furazan);
394 (w) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
395 (x) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
396 (y) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
397 (z) Mestanolone (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
398 (aa) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
399 (bb) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
400 (cc) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
401 (dd) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
402 (ee) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-3-one);
403 (ff) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-3-one);
404 (gg) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene);
405 (hh) 17 α -methyl-4-hydroxyandrolone(17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
406 (ii) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
407 (jj) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
408 (kk) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
409 (ll) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
410 (m m) 17 α -methyl-?1-dihydrotestosterone
411 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. '17 α -methyl-1-testosterone');
412 (nn) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
413 (oo) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);

- 414 (pp) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
415 (qq) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
416 (rr) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
417 (ss) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
418 (tt) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
419 (uu) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
420 (vv) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
421 (ww) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
422 (xx) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
423 (yy) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
424 (zz) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
425 (aaa) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one);
426 (bbb) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
427 (ccc) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
428 (ddd) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic
429 acid lactone);
430 (eee) Testosterone (17 β -hydroxyandrost-4-en-3-one);
431 (fff) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
432 (ggg) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);
433 (hhh) Any salt, ester, or ether of a drug or substance described or listed
434 in this subdivision, except an anabolic steroid which is expressly intended for
435 administration through implants to cattle or other nonhuman species and which
436 has been approved by the Secretary of Health and Human Services for that
437 administration;
- 438 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin
439 capsule in a United States Food and Drug Administration approved drug product;
- 440 (8) **Any compound, mixture, or preparation containing any**
441 **detectable quantity of ephedrine, phenylpropanolamine, or**
442 **pseudoephedrine, or any of their salts or optical isomers, or salts of**
443 **optical isomers, except any dietary supplements, herbs, or natural**
444 **products, including concentrates or extracts, that are not otherwise**
445 **prohibited by law and that contain naturally occurring ephedrine**
446 **alkaloids in a matrix of organic material such that the substances do**
447 **not exceed fifteen percent of the total weight of the dietary supplement,**
448 **herb, or natural product;**
- 449 (9) Upon written application of a manufacturer, the department

450 of health and senior services may exempt, by rule, any product
451 containing any compound, mixture, or preparation containing any
452 detectable quantity of ephedrine, phenylpropanolamine, or
453 pseudoephedrine, or any of their salts or optical isomers, or salts of
454 optical isomers from the application of all or any part of sections
455 195.010 to 195.320 because the product is formulated to effectively
456 prevent conversion of the active ingredient into methamphetamine or
457 its salts or precursors. Upon notification from the state highway patrol
458 that the patrol has probable cause to believe that a product exempted
459 under this subdivision does not effectively prevent conversion of the
460 active ingredient into methamphetamine or its salts or precursors, the
461 department may issue an emergency rule revoking the exemption for
462 the product pending a full hearing;

463 (10) The department of health and senior services may except by rule any
464 compound, mixture, or preparation containing any stimulant or depressant
465 substance listed in subdivisions (1) and (2) of this subsection from the application
466 of all or any part of sections 195.010 to 195.320 if the compound, mixture, or
467 preparation contains one or more active medicinal ingredients not having a
468 stimulant or depressant effect on the central nervous system, and if the
469 admixtures are included therein in combinations, quantity, proportion, or
470 concentration that vitiate the potential for abuse of the substances which have
471 a stimulant or depressant effect on the central nervous system.

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

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

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

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

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

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

485 (a) Not more than one milligram of difenoxin and not less than twenty-five

486 micrograms of atropine sulfate per dosage unit;

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

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

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

496 b. Not more than one hundred milligrams of dihydrocodeine per one
497 hundred milliliters or per one hundred grams;

498 c. Not more than one hundred milligrams of ethylmorphine per one
499 hundred milliliters or per one hundred grams;

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

504 (a) Alprazolam;

505 (b) Barbitol;

506 (c) Bromazepam;

507 (d) Camazepam;

508 (e) Chloral betaine;

509 (f) Chloral hydrate;

510 (g) Chlordiazepoxide;

511 (h) Clobazam;

512 (i) Clonazepam;

513 (j) Clorazepate;

514 (k) Clotiazepam;

515 (l) Cloxazolam;

516 (m) Delorazepam;

517 (n) Diazepam;

518 (o) Dichloralphenazone;

519 (p) Estazolam;

520 (q) Ethchlorvynol;

521 (r) Ethinamate;

- 522 (s) Ethyl loflazepate;
523 (t) Fludiazepam;
524 (u) Flunitrazepam;
525 (v) Flurazepam;
526 (w) Halazepam;
527 (x) Haloxazolam;
528 (y) Ketazolam;
529 (z) Loprazolam;
530 (aa) Lorazepam;
531 (bb) Lormetazepam;
532 (cc) Mebutamate;
533 (dd) Medazepam;
534 (ee) Meprobamate;
535 (ff) Methohexital;
536 (gg) Methylphenobarbital (mephobarbital);
537 (hh) Midazolam;
538 (ii) Nimetazepam;
539 (jj) Nitrazepam;
540 (kk) Nordiazepam;
541 (ll) Oxazepam;
542 (mm) Oxazolam;
543 (nn) Paraldehyde;
544 (oo) Petrichloral;
545 (pp) Phenobarbital;
546 (qq) Pinazepam;
547 (rr) Prazepam;
548 (ss) Quazepam;
549 (tt) Temazepam;
550 (uu) Tetrazepam;
551 (vv) Triazolam;
552 (ww) Zaleplon;
553 (xx) Zolpidem;
554 (yy) Zopiclone;
555 (3) Any material, compound, mixture, or preparation which contains any
556 quantity of the following substance including its salts, isomers and salts of
557 isomers whenever the existence of such salts, isomers and salts of isomers is

558 possible: fenfluramine;

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

562 (a) Cathine ((+)-norpseudoephedrine);

563 (b) Diethylpropion;

564 (c) Fencamfamin;

565 (d) Fenproporex;

566 (e) Mazindol;

567 (f) Mefenorex;

568 (g) Modafinil;

569 (h) Pemoline, including organometallic complexes and chelates thereof;

570 (i) Phentermine;

571 (j) Pipradrol;

572 (k) Sibutramine;

573 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

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

576 (a) butorphanol;

577 (b) pentazocine;

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

580 (7)] The department of health and senior services may except by rule any
581 compound, mixture, or preparation containing any depressant substance listed in
582 subdivision (1) of this subsection from the application of all or any part of sections
583 195.010 to 195.320 if the compound, mixture, or preparation contains one or more
584 active medicinal ingredients not having a depressant effect on the central nervous
585 system, and if the admixtures are included therein in combinations, quantity,
586 proportion, or concentration that vitiate the potential for abuse of the substances
587 which have a depressant effect on the central nervous system.

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

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

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

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

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

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

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

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

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

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

613 (3) [Any compound, mixture, or preparation containing any detectable
614 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical
615 isomers or any compound, mixture, or preparation containing any detectable
616 quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

617 (4)] Unless specifically exempted or excluded or unless listed in another
618 schedule, any material, compound, mixture, or preparation which contains any
619 quantity of the following substances having a depressant effect on the central nervous
620 system, including its salts: pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].

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

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

630 (2) Any person purchasing, receiving or otherwise acquiring any
631 compound, mixture, or preparation containing any detectable quantity of
632 pseudoephedrine, its salts or optical isomers, or salts of optical isomers or
633 ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least
634 eighteen years of age; and

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

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

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

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

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

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

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

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

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

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

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

663 17. The scheduling of substances specified in subdivision (3) of subsection
664 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply
665 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel

666 capsule form or to any compound, mixture, or preparation specified in subdivision
667 (3) of subsection 10 of this section which must be dispensed, sold, or distributed
668 in a pharmacy pursuant to a prescription.

669 18. The manufacturer of a drug product or another interested party may
670 apply with the department of health and senior services for an exemption from
671 this section. The department of health and senior services may grant an
672 exemption by rule from this section if the department finds the drug product is
673 not used in the illegal manufacture of methamphetamine or other controlled or
674 dangerous substances. The department of health and senior services shall rely
675 on reports from law enforcement and law enforcement evidentiary laboratories in
676 determining if the proposed product can be used to manufacture illicit controlled
677 substances.

678 19.] **12.** The department of health and senior services shall revise and
679 republish the schedules annually.

680 [20. The department of health and senior services shall promulgate rules
681 under chapter 536, RSMo, regarding the security and storage of Schedule V
682 controlled substances, as described in subdivision (3) of subsection 10 of this
683 section, for distributors as registered by the department of health and senior
684 services.

685 21. Logs of transactions required to be kept and maintained by this
686 section and section 195.417 shall create a rebuttable presumption that the person
687 whose name appears in the logs is the person whose transactions are recorded in
688 the logs.]

689 **13. Persons registered with the Drug Enforcement**
690 **Administration of the United States Department of Justice to**
691 **manufacture or distribute controlled substances shall maintain**
692 **adequate security and provide effective controls and procedures to**
693 **guard against theft and diversion, but shall not otherwise be required**
694 **to meet the physical security control requirements established by the**
695 **Drug Enforcement Administration regulations, such as using secured**
696 **wire cage storage areas, for schedule III controlled substances**
697 **containing pseudoephedrine.**

 [195.417. 1. The limits specified in this section shall not
2 apply to any quantity of such product, mixture, or preparation
3 which must be dispensed, sold, or distributed in a pharmacy
4 pursuant to a valid prescription.

5 2. Within any thirty-day period, no person shall sell,
6 dispense, or otherwise provide to the same individual, and no
7 person shall purchase, receive, or otherwise acquire more than the
8 following amount: any number of packages of any drug product
9 containing any detectable amount of ephedrine,
10 phenylpropanolamine, or pseudoephedrine, or any of their salts or
11 optical isomers, or salts of optical isomers, either as:

12 (1) The sole active ingredient; or

13 (2) One of the active ingredients of a combination drug; or

14 (3) A combination of any of the products specified in
15 subdivisions (1) and (2) of this subsection;
16 in any total amount greater than nine grams, without regard to the
17 number of transactions.

18 3. Within any twenty-four-hour period, no pharmacist,
19 intern pharmacist, or registered pharmacy technician shall sell,
20 dispense, or otherwise provide to the same individual, and no
21 person shall purchase, receive, or otherwise acquire more than the
22 following amount: any number of packages of any drug product
23 containing any detectable amount of ephedrine,
24 phenylpropanolamine, or pseudoephedrine, or any of their salts or
25 optical isomers, or salts of optical isomers, either as:

26 (1) The sole active ingredient; or

27 (2) One of the active ingredients of a combination drug; or

28 (3) A combination of any of the products specified in
29 subdivisions (1) and (2) of this subsection;
30 in any total amount greater than three and six-tenths grams
31 without regard to the number of transactions.

32 4. All packages of any compound, mixture, or preparation
33 containing any detectable quantity of ephedrine,
34 phenylpropanolamine, or pseudoephedrine, or any of their salts or
35 optical isomers, or salts of optical isomers, except those that are
36 excluded from Schedule V in subsection 17 or 18 of section 195.017,
37 shall be offered for sale only from behind a pharmacy counter
38 where the public is not permitted, and only by a registered
39 pharmacist or registered pharmacy technician under section
40 195.017.

41 5. Each pharmacy shall submit information regarding sales
42 of any compound, mixture, or preparation as specified in this
43 section in accordance with transmission methods and frequency
44 established by the department by regulation.

45 6. This section shall supersede and preempt any local
46 ordinances or regulations, including any ordinances or regulations
47 enacted by any political subdivision of the state. This section shall
48 not apply to the sale of any animal feed products containing
49 ephedrine or any naturally occurring or herbal ephedra or extract
50 of ephedra.

51 7. All logs, records, documents, and electronic information
52 maintained for the dispensing of these products shall be open for
53 inspection and copying by municipal, county, and state or federal
54 law enforcement officers whose duty it is to enforce the controlled
55 substances laws of this state or the United States.

56 8. Within thirty days of June 15, 2005, all persons who
57 dispense or offer for sale pseudoephedrine and ephedrine products,
58 except those that are excluded from Schedule V in subsection 17 or
59 18 of section 195.017, shall ensure that all such products are
60 located only behind a pharmacy counter where the public is not
61 permitted.

62 9. Any person who knowingly or recklessly violates this
63 section is guilty of a class A misdemeanor.]

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