WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1998

ENROLLED

HOUSE BILL No. 2168
(By Delegate Border)

Passed February 10, 1998
In Effect Ninety Days from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2168

(BY DELEGATE BORDER)

[Passed February 10, 1998; in effect ninety days from passage.]

AN ACT to amend and reenact sections two hundred four, two hundred six, two hundred eight, two hundred ten and two hundred twelve, article two, chapter sixty-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to schedules of controlled substances; adding certain drugs thereto.

Be it enacted by the Legislature of West Virginia:

That section two hundred four, two hundred six, two hundred eight, two hundred ten and two hundred twelve, article two, chapter sixty-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 2. STANDARDS AND SCHEDULES.

§60A-2-204. Schedule I.

1 (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.
(b) **Opiates.** 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 and salts is possible within the specific chemical designation (for purposes of subdivision (34) of this subsection only, the term isomer includes the optical and geometric isomers):

1. Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);
2. Acetylmethadol;
3. Allylprodine;
4. Alphacetylmethadol (except levoalphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);
5. Alphameprodine;
6. Alphamethadol;
7. Alpha-methylfentanyl (N-[1-alpha-methyl-beta-phenyl] ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
8. Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl-4-piperidinyl]-N-phenylpropanamide);
9. Benzethidine;
10. Betacetylmethadol;
11. Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);
12. Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);
13. Betameprodine;
14. Betamethadol;
15. Betaprodine;
37  (16) Clonitazene;
38  (17) Dextromoramide;
39  (18) Diampromide;
40  (19) Diethylthiambutene;
41  (20) Difenoxin;
42  (21) Dimenoxadol;
43  (22) Dimepheptanol;
44  (23) Dimethylthiambutene;
45  (24) Dioxaphetyl butyrate;
46  (25) Dipipanone;
47  (26) Ethylmethylthiambutene;
48  (27) Etonitazene;
49  (28) Etoxeridine;
50  (29) Furethidine;
51  (30) Hydroxypethidine;
52  (31) Ketobemidone;
53  (32) Levomoramide;
54  (33) Levophenacylmorphan;
55  (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);
56  (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
57  (36) Morpheridine;
58  (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
59  (38) Noracymethadol;
60  (39) Norlevorphanol;
61  (40) Normethadone:
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65 (41) Norpipanone;

66 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-
67 (2-phenethyl)-4-piperidinyl] propanamide);

68 (43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-
69 acetoxy-piperidine);

70 (44) Phenadoxone;

71 (45) Phenampromide;

72 (46) Phenomorphan;

73 (47) Phenoperidine;

74 (48) Piritramide;

75 (49) Proheptazine;

76 (50) Properidine;

77 (51) Propiram;

78 (52) Racemoramide;

79 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
80 piperidinyl]-propanamide);

81 (54) Tilidine;

82 (55) Trimeperidine.

83 (c) Opium derivatives. — Unless specifically excepted
84 or unless listed in another schedule, any of the following
85 opium derivatives, its salts, isomers and salts of isomers
86 whenever the existence of such salts, isomers and salts of
87 isomers is possible within the specific chemical
88 designation:

89 (1) Acetorphine;

90 (2) Acetyldihydrocodeine;

91 (3) Benzylmorphine;

92 (4) Codeine methylbromide;

93 (5) Codeine-N-Oxide;
(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 substances, 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 subsection only, the term "isomer" includes the optical, position and geometric isomers):

(1) Alpha-ethyltryptamine; 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; some trade or other names: 4-bromo-2, 5-dimethoxy-alpha-methylphenethyllamine; 4-bromo-2,5-DMA;

(3) 4-Bromo-2,5-dimethoxyphenethylamine; some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus;

(4) 2,5-dimethoxyamphetamine; some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA;

(5) 2,5-dimethoxy-4-ethylamphet-amine; some trade or other names: DOET;

(6) 4-methoxyamphetamine; some trade or other names: 4-methoxy-alpha-methylphenethylamine; para-methoxyamphetamine; PMA;

(7) 5-methoxy-3, 4-methylenedioxy- amphetamine;

(8) 4-methyl-2,5-dimethoxy-amphetamine; some trade and other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP";

(9) 3,4-methylenedioxy amphetamine;

(10) 3,4-methylenedioxyamphetamine (MDMA);

(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, MDEA);

(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-hydroxy MDA);

(13) 3,4,5-trimethoxy amphetamine;

(14) Bufotenine; some trade and other names: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl) -5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
(15) Diethyltryptamine; some trade and other names: N, N-Diethyltryptamine; DET;
(16) Dimethyltryptamine; some trade or other names: DMT;
(17) Ibogaine; 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;
(18) Lysergic acid diethylamide;
(19) Marihuana;
(20) Mescaline;
(21) Parahexyl-7374; some trade or other names: 3-Hexyl -1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl;
(22) Peyote; meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemare, 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;
(23) N-ethyl-3-piperidyl benzilate;
(24) N-methyl-3-piperidyl benzilate;
(25) Psilocybin;
(26) Psilocyn;
(27) Tetrahydrocannabinols; synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity such as the following:
   delta-1 Cis or trans tetrahydrocannabinol, and their optical isomers;
   delta-6 Cis or trans tetrahydrocannabinol, and their optical isomers;
delta-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.)

(28) Ethylamine analog of phencyclidine; some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

(29) Pyrrolidine analog of phencyclidine; some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

(30) Thiophene analog of phencyclidine; some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine; TPCP, TCP;

(31) 1[1-(2-thienyl)cyclohexyl]pyrroldine; some 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) Mecloqualone;

(2) Methaqualone.

(f) 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, and salts of isomers:
(1) Aminorex; some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine;

(2) Cathinone; some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone;

(3) Fenethylline;

(4) Methcathinone, its salts, optical isomers and salts of optical isomers; some other names: (2-(methylamino)-propiophenone; alpha-(methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrine; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432;

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

(6) N-ethylamphetamine;

(7) N,N-dimethylamphetamine; also known as N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethyl phenethylamine.

(g) Temporary listing of substances subject to emergency scheduling. Any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts, and salts of isomers.

(2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers.

§60A-2-206. 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.
(b) *Substances, vegetable origin or chemical synthesis.*

Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

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

(A) Raw opium;
(B) Opium extracts;
(C) Opium fluid;
(D) Powdered opium;
(E) Granulated opium;
(F) Tincture of opium;
(G) Codeine;
(H) Ethylmorphine;
(i) Etorphine hydrochloride;
(J) Hydrocodone;
(K) Hydromorphone;
(L) Metopon;
(M) Morphine;
(N) Oxycodone;
(O) Oxymorphone;
(P) Thebaine;

(2) Any salt, compound, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subdivision (1) of this
subsection, except that these substances shall not include
the isoquinoline alkaloids of opium;

(3) Opium poppy and poppy straw;

(4) Coca leaves and any salt, compound, derivative or
preparation of coca leaves (including cocaine and
ecgonine 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 extractions of coca leaves, which extractions do
not contain cocaine or ecgonine;

(5) Concentrate of poppy straw (the crude extract of
poppy straw in either liquid, solid or powder form which
contains the phenanthrene alkaloids of the opium poppy).

(c) Opiates. — 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 designation, dextrorphan and
levopropoxyphene excepted:

(1) Alfentanil;
(2) Alphaprodine;
(3) Anileridine;
(4) Bezitramide;
(5) Bulk dextropropoxyphene (nondosage forms);
(6) Carfentanil;
(7) Dihydrocodeine;
(8) Diphenoxylate;
(9) Fentanyl;
(10) Isomethadone;

(11) Levo-alphacetylmethadol; some other names: levo-alpha-acetylmethadol, levomethadyl acetate, LAAM;

(12) Levomethorphan;

(13) Levorphanol;

(14) Metazocine;

(15) Methadone;

(16) Methadone-Intermediate,

4-cyano-2-dimethylamino-4, 4-diphenyl butane;

(17) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;

(18) Pethidine; (meperidine);

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

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

(21) Pethidine-Intermediate-C,

1-methyl-4-phenylpiperidine-4-carboxylic acid;

(22) Phenazocine;

(23) Piminodine;

(24) Racemethorphan;

(25) Racemorphan;

(26) Remifentanil;

(27) Sufentanil.

(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;
(2) Methamphetamine, its salts, isomers and salts of its isomers;

(3) Methylphenidate;

(4) Phenmetrazine and its salts.

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;

(2) Glutethimide;

(3) Pentobarbital;

(4) Phencyclidine;

(5) Secobarbital.

f) **Hallucinogenic substances:**

(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product. (Some other names for dronabinol: (6aR-trans)-6a, 7, 8, 10a-tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo [b,d] pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol);

(2) Nabilone: [Another name for nabilone: (+)-trans-3-(1,1-dimethylethyl)-6, 6a, 7, 8, 10, 10a-hexahydro-1-hydroxy-6, 6-dimethyl-9H-dibeno [b,d] pyran-9-one].

g) **Immediate precursors.** 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:

(A) Phenylacetone;
Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;

(2) Immediate precursors to phencyclidine (PCP):

(A) 1-phenylcyclohexylamine;

(B) 1-piperidinocyclohexanecarbonitrile (PCC).

§60A-2-208. 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.

(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 the twenty-fifth day of August, one thousand nine hundred seventy-one, as excepted compounds under §1308.32, 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;

(2) Benzphetamine;

(3) Chlorphentermine;

(4) Clortermine;

(5) Phendimetrazine;

(6) Hydrocodone.
(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:
   (A) Amobarbital;
   (B) Secobarbital;
   (C) Pentobarbital; 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:
   (A) Amobarbital;
   (B) Secobarbital;
   (C) Pentobarbital; 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;

4. Chlorhexadol;

5. Lysergic acid;

6. Lysergic acid amide;

7. Methyprylon;

8. Sulfondiethylmethane;

9. Sulfonethylmethane;

10. Sulfonmethane;

11. Tiletamine and zolazepam or any salt thereof; some trade or other names 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-flurophenyl)-6, 8-dihydro-1, 3, 8-trimethylpyrazolo-
[3,4-e] [1,4]-diazepin-7(1H)-one, flupyrazalon;

(i2) Human growth hormones or anabolic steroids.

(d) *Nalorphine.*

(e) *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 1.8 grams of codeine per 100
milliliters and not more than 90 milligrams per dosage
unit, with an equal or greater quantity of an isoquinoline
alkaloid of opium;

(2) 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;

(3) Not more than 300 milligrams of
dihydrocodeinone (hydrocodeine) per 100 milliliters or
not more than 15 milligrams per dosage unit, with a
fourfold or greater quantity of an isoquinoline alkaloid of
opium;

(4) Not more than 300 milligrams of
dihydrocodeinone (hydrocodeine) per 100 milliliters or
not more than 15 milligrams per dosage unit, with one or
more active, nonnarcotic ingredients in recognized
therapeutic amounts;

(5) Not more than 1.8 grams of dihydrocodeine per
100 milliliters and not more than 90 milligrams per
dosage unit, with one or more active, nonnarcotic
ingredients in recognized therapeutic amounts;

(6) 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;
(7) 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;

(8) 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.

(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:

(1) Anabolic Steroids.

§60A-2-210. 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.

(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;

(2) Dextropropoxyphene (alpha- (+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane).

(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;
2. Barbital;
3. Bromazepam;
4. Camazepam;
5. Carisoprodol;
6. Chloral betaine;
7. Chloral hydrate;
8. Chlordiazepoxide;
9. Clobazam;
10. Clonazepam;
11. Clorazepate;
12. Clotiazepam;
13. Cloxazolam;
14. Delorazepam;
15. Diazepam;
16. Estazolam;
17. Ethchlorvynol;
18. Ethinamate;
19. Ethyl loflazepate;
20. Fludiazepam;
21. Flunitrazepam;
22. Flurazepam;
23. Halazepam;
24. Haloxazolam;
25. Ketazolam;
48  (26) Loprazolam;
49  (27) Lorazepam;
50  (28) Lormetazepam;
51  (29) Mebutamate;
52  (30) Medazepam;
53  (31) Meprobamate;
54  (32) Methohexital;
55  (33) Methylphenobarbital (mephobarbital);
56  (34) Midazolam;
57  (35) Nimetazepam;
58  (36) Nitrazepam;
59  (37) Nordiazepam;
60  (38) Oxazepam;
61  (39) Oxazolam;
62  (40) Paraldehyde;
63  (41) Petrichloral;
64  (42) Phenobarbital;
65  (43) Pinazepam;
66  (44) Prazepam;
67  (45) Quazepam;
68  (46) Temazepam;
69  (47) Tetrazepam;
70  (48) Triazolam;
71  (49) Zolpidem.
72  (d) *Fenfluramine*. Any material, compound, mixture
73  or preparation which contains any quantity of the
74  following substance, including its salts, isomers (whether
75  optical, position or geometric) and salts of such isomers
76 whenever the existence of such salts, isomers and salts of
77 isomers is possible: Fenfluramine.

78 (e) Stimulants. Unless specifically excepted or unless
79 listed in another schedule, any material, compound,
80 mixture or preparation which contains any quantity of the
81 following substances having a stimulant effect on the
82 central nervous system, including its salts, isomers and salts
83 of isomers:

84 (1) Cathine ((+)- norpseudoephedrine);
85 (2) Diethylpropion;
86 (3) Fencamfamin;
87 (4) Fenproporex;
88 (5) Mazindol;
89 (6) Mefenorex;
90 (7) Pemoline (including organometallic complexes
91 and chelates thereof);
92 (8) Phentermine;
93 (9) Pipradrol;
94 (10) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

95 (f) Other substances. — Unless specifically excepted
96 or unless listed in another schedule, any material,
97 compound, mixture or preparation which contains any
98 quantity of the following substances, including its salts:
99 (1) Pentazocine;
100 (2) Butorphanol.

101 Amyl nitrite, butyl nitrite, isobutyl nitrite and the other
102 organic nitrates are controlled substances and no product
103 containing these compounds as a significant component
104 shall be possessed, bought or sold other than pursuant to a
105 bona fide prescription or for industrial or manufacturing
106 purposes.
§60A-2-212. 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) Buprenorphine.

(c) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any 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, 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 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 stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

(1) Pyrovalerone.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within approved this the ____, 1998.

Governor