

FIRST REGULAR SESSION

# HOUSE BILL NO. 407

## 93RD GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES ROORDA (Sponsor), MEADOWS, CASEY, DARROUGH,  
BROWN (50), JOHNSON (90), WAGNER, HARRIS (110) AND SELBY (Co-sponsors).

Read 1<sup>st</sup> time February 1, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0506L.011

---

### AN ACT

To repeal section 195.017, RSMo, and to enact in lieu thereof one new section relating to schedule II controlled substances.

---

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

Section A. Section 195.017, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.017, to read as follows: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 the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

52 (pp) Para-fluorofentanyl;

53 (qq) PEPAP;

54 (rr) Phenadoxone;

55 (ss) Phenampromide;

56 (tt) Phenomorphan;

57 (uu) Phenoperidine;

58 (vv) Piritramide;

59 (ww) Proheptazine;

60 (xx) Properidine;

61 (yy) Propiram;

62 (zz) Racemoramide;

63 (aaa) Thiofentanyl;

64 (bbb) Tilidine;

65 (ccc) Trimeperidine;

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

69 (a) Acetorphine;

70 (b) Acetyldihydrocodeine;

71 (c) Benzylmorphine;

72 (d) Codeine methylbromide;

73 (e) Codeine-N-Oxide;

74 (f) Cyprenorphine;

75 (g) Desomorphine;

76 (h) Dihydromorphine;

77 (i) Drotebanol;

78 (j) Etorphine; (except Hydrochloride Salt);

79 (k) Heroin;

80 (l) Hydromorphenol;

81 (m) Methyldesorphine;

82 (n) Methyldihydromorphine;

83 (o) Morphine methylbromide;

84 (p) Morphine methylsulfonate;

85 (q) Morphine-N-Oxide;

86 (r) Myrophine;

87 (s) Nicocodeine;

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

- 124 (z) Psilocyn;  
125 (aa) Tetrahydrocannabinols;  
126 (bb) Ethylamine analog of phencyclidine;  
127 (cc) Pyrrolidine analog of phencyclidine;  
128 (dd) Thiophene analog of phencyclidine;  
129 (ee) 1-(1-(2-thienyl)cyclohexyl) pyrrolidine;  
130 (5) Any material, compound, mixture or preparation containing any quantity of the  
131 following substances having a depressant effect on the central nervous system, including their  
132 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of  
133 isomers is possible within the specific chemical designation:  
134 (a) Gamma hydroxybutyric acid;  
135 (b) Mecloqualone;  
136 (c) Methaqualone;  
137 (6) Any material, compound, mixture or preparation containing any quantity of the  
138 following substances having a stimulant effect on the central nervous system, including their  
139 salts, isomers and salts of isomers:  
140 (a) Aminorex;  
141 (b) Cathinone;  
142 (c) Fenethylamine;  
143 (d) Methcathinone;  
144 (e) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro- 4-methyl-5-phenyl-2-oxazolamine);  
145 (f) N-ethylamphetamine;  
146 (g) N,N-dimethylamphetamine;  
147 (7) A temporary listing of substances subject to emergency scheduling under federal law  
148 shall include any material, compound, mixture or preparation which contains any quantity of the  
149 following substances:  
150 (a) N-(1-benzyl-4-piperidyl)-N-phenyl-propanamide (benzylfentanyl), its optical isomers,  
151 salts and salts of isomers;  
152 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its  
153 optical isomers, salts and salts of isomers.  
154 3. The department of health and senior services shall place a substance in Schedule II  
155 if it finds that:  
156 (1) The substance has high potential for abuse;  
157 (2) The substance has currently accepted medical use in treatment in the United States,  
158 or currently accepted medical use with severe restrictions; and  
159 (3) The abuse of the substance may lead to severe psychic or physical dependence.

- 160 4. The controlled substances listed in this subsection are included in Schedule II:  
161 (1) Any of the following substances whether produced directly or indirectly by extraction  
162 from substances of vegetable origin, or independently by means of chemical synthesis, or by  
163 combination of extraction and chemical synthesis:
- 164 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or  
165 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine,  
166 nalmefene, naloxone and naltrexone, and their respective salts but including the following:
    - 167 a. Raw opium;
    - 168 b. Opium extracts;
    - 169 c. Opium fluid;
    - 170 d. Powdered opium;
    - 171 e. Granulated opium;
    - 172 f. Tincture of opium;
    - 173 g. Codeine;
    - 174 h. Ethylmorphine;
    - 175 i. Etorphine hydrochloride;
    - 176 j. Hydrocodone;
    - 177 k. Hydromorphone;
    - 178 l. Metopon;
    - 179 m. Morphine;
    - 180 n. Oxycodone;
    - 181 o. Oxymorphone;
    - 182 p. Thebaine;
  - 183 (b) Any salt, compound, derivative, or preparation thereof which is chemically  
184 equivalent or identical with any of the substances referred to in this subdivision, but not  
185 including the isoquinoline alkaloids of opium;
  - 186 (c) Opium poppy and poppy straw;
  - 187 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and  
188 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical  
189 with any of these substances, but not including decocainized coca leaves or extractions which  
190 do not contain cocaine or ecgonine;
  - 191 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid  
192 or powder form which contains the phenanthrene alkaloids of the opium poppy);
- 193 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts  
194 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within  
195 the specific chemical designation, dextrorphan and levopropoxyphene excepted:

- 196 (a) Alfentanil;  
197 (b) Alphaprodine;  
198 (c) **Amyl nitrite**  
199 (d) Anileridine;  
200 [(d)] (e) Bezitramide;  
201 [(e) Bulk Dextropropoxyphene] (f) **Butyl nitrite**;  
202 [(f)] (g) Carfentanil;  
203 (h) **Cyclohexyl nitrite**  
204 [(g) Butyl nitrite] (i) **Bulk Dextropropoxyphene**;  
205 [(h)] (j) Dihydrocodeine;  
206 [(i)] (k) Diphenoxylate;  
207 (l) **Ethyl nitrite**  
208 [(j)] (m) Fentanyl;  
209 (n) **Isoamyl nitrite**;  
210 (o) **Isobutyl nitrite**;  
211 (p) **Isoethyl nitrite**  
212 (q) **Isopentyl nitrite**  
213 (r) **Isopropyl nitrite**;  
214 [(k)] (s) Isomethadone;  
215 [(l)] (t) Levo-alphaacetylmethadol;  
216 [(m)] (u) Levomethorphan;  
217 [(n)] (v) Levorphanol;  
218 [(o)] (w) Metazocine;  
219 [(p)] (x) Methadone;  
220 [(q)] (y) Meperidine;  
221 [(r)] (z) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;  
222 (aa) **Pentyl nitrite**  
223 [(s)] (bb) Moramide-Intermediate, 2-methyl-3-morpholino-1,  
224 1-diphenylpropane--carboxylic acid;  
225 [(t)] (cc) Pethidine;  
226 [(u)] (dd) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;  
227 [(v)] (ee) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;  
228 [(w)] (ff) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;  
229 [(x)] (gg) Phenazocine;  
230 [(y)] (hh) Piminodine;  
231 (ii) **Propyl nitrite**

- 232 [(z)] (jj) Racemethorphan;  
233 [(aa)] (kk) Racemorphan;  
234 [(bb)] (ll) Sulfentanil;  
235 (3) Any material, compound, mixture, or preparation which contains any quantity of the  
236 following substances having a stimulant effect on the central nervous system:  
237 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;  
238 (b) Methamphetamine, its salts, isomers, and salts of its isomers;  
239 (c) Phenmetrazine and its salts;  
240 (d) Methylphenidate;  
241 (4) **Any material, compound, mixture, or preparation, with the exception of**  
242 **suspensions, syrups, or elixirs, which contain any quantity of the following substances**  
243 **known to be chemical precursors of certain substances having a stimulant effect on the**  
244 **central nervous system: pseudoephedrine, its salts, isomers, and salts of isomers;**  
245 (5) Any material, compound, mixture, or preparation which contains any quantity of the  
246 following substances having a depressant effect on the central nervous system, including its salts,  
247 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers  
248 is possible within the specific chemical designation:  
249 (a) Amobarbital;  
250 (b) Glutethimide;  
251 (c) Pentobarbital;  
252 (d) Phencyclidine;  
253 (e) Secobarbital;  
254 [(5)] (6) Any material, compound or compound which contains any quantity of the  
255 following substances:  
256 (a) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a  
257 United States Food and Drug Administration approved drug product;  
258 (b) Nabilone;  
259 [(6)] (7) Any material, compound, mixture, or preparation which contains any quantity  
260 of the following substances:  
261 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;  
262 (b) Immediate precursors to phencyclidine (PCP):  
263 a. 1-phenylcyclohexylamine;  
264 b. 1-piperidinocyclohexanecarbonitrile (PCC).  
265 5. The department of health and senior services shall place a substance in Schedule III  
266 if it finds that:  
267 (1) The substance has a potential for abuse less than the substances listed in Schedules



268 I and II;

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

271 (3) Abuse of the substance may lead to moderate or low physical dependence or high  
272 psychological dependence.

273 6. The controlled substances listed in this subsection are included in Schedule III:

274 (1) Any material, compound, mixture, or preparation which contains any quantity of the  
275 following substances having a potential for abuse associated with a stimulant effect on the  
276 central nervous system:

277 (a) Benzphetamine;

278 (b) Chlorphentermine;

279 (c) Clortermine;

280 (d) Phendimetrazine;

281 (2) Any material, compound, mixture or preparation which contains any quantity or salt  
282 of the following substances or salts having a depressant effect on the central nervous system:

283 (a) Any material, compound, mixture or preparation which contains any quantity or salt  
284 of the following substances combined with one or more active medicinal ingredients:

285 a. Amobarbital;

286 b. Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in  
287 a drug product for which an application has been approved under Section 505 of the Federal  
288 Food, Drug, and Cosmetic Act;

289 c. Secobarbital;

290 d. Pentobarbital;

291 (b) Any suppository dosage form containing any quantity or salt of the following:

292 a. Amobarbital;

293 b. Secobarbital;

294 c. Pentobarbital;

295 (c) Any substance which contains any quantity of a derivative of barbituric acid or its  
296 salt;

297 (d) Chlorhexadol;

298 (e) Ketamine, its salts, isomers, and salts of isomers;

299 (f) Lysergic acid;

300 (g) Lysergic acid amide;

301 (h) Methyprylon;

302 (i) Sulfondiethylmethane;

303 (j) Sulfonethylmethane;

- 304 (k) Sulfonmethane;
- 305 (l) Tiletamine and zolazepam or any salt thereof;
- 306 (3) Nalorphine;
- 307 (4) Any material, compound, mixture, or preparation containing limited quantities of any
- 308 of the following narcotic drugs or their salts:
- 309 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
- 310 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
- 311 of opium;
- 312 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
- 313 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
- 314 therapeutic amounts;
- 315 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
- 316 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
- 317 isoquinoline alkaloid of opium;
- 318 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
- 319 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic
- 320 ingredients in recognized therapeutic amounts;
- 321 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or more than
- 322 ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized
- 323 therapeutic amounts;
- 324 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters
- 325 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic
- 326 ingredients in recognized therapeutic amounts;
- 327 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per
- 328 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more
- 329 active nonnarcotic ingredients in recognized therapeutic amounts;
- 330 (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one
- 331 hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
- 332 amounts;
- 333 (5) Anabolic steroids. Unless specially excepted or unless listed in another schedule, any
- 334 material, compound, mixture or preparation containing any quantity of the following substances,
- 335 including its salts, isomers and salts of isomers whenever the existence of such salts of isomers
- 336 is possible within the specific chemical designation:
- 337 (a) Boldenone;
- 338 (b) Chlorotestosterone (4-Chlortestosterone);
- 339 (c) Clostebol;

- 340 (d) Dehydrochlormethyltestosterone;  
341 (e) Dihydrotestosterone (4-Dihydro-testosterone);  
342 (f) Drostanolone;  
343 (g) Ethylestrenol;  
344 (h) Fluoxymesterone;  
345 (i) Formebolone (Formebolone);  
346 (j) Mesterolone;  
347 (k) Methandienone;  
348 (l) Methandranone;  
349 (m) Methandriol;  
350 (n) Methandrostenolone;  
351 (o) Methenolone;  
352 (p) Methyltestosterone;  
353 (q) Mibolerone;  
354 (r) Nandrolone;  
355 (s) Norethandrolone;  
356 (t) Oxandrolone;  
357 (u) Oxymesterone;  
358 (v) Oxymetholone;  
359 (w) Stanolone;  
360 (x) Stanozolol;  
361 (y) Testolactone;  
362 (z) Testosterone;  
363 (aa) Trenbolone;  
364 (bb) Any salt, ester, or isomer of a drug or substance described or listed in this  
365 subdivision, if that salt, ester or isomer promotes muscle growth except an anabolic steroid  
366 which is expressly intended for administration through implants to cattle or other nonhuman  
367 species and which has been approved by the secretary of health and human services for that  
368 administration.
- 369 (6) The department of health and senior services may except by rule any compound,  
370 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions  
371 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to  
372 195.320 if the compound, mixture, or preparation contains one or more active medicinal  
373 ingredients not having a stimulant or depressant effect on the central nervous system, and if the  
374 admixtures are included therein in combinations, quantity, proportion, or concentration that  
375 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on

376 the central nervous system.

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

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

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

381 and

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

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

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

388 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms  
389 of atropine sulfate per dosage unit;

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

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

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

398 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters  
399 or per one hundred grams;

400 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters  
401 or per one hundred grams;

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

405 (a) Alprazolam;

406 (b) Barbital;

407 (c) Bromazepam;

408 (d) Camazepam;

409 (e) Chloral betaine;

410 (f) Chloral hydrate;

411 (g) Chlordiazepoxide;

- 412 (h) Clobazam;
- 413 (i) Clonazepam;
- 414 (j) Clorazepate;
- 415 (k) Clotiazepam;
- 416 (l) Cloxazolam;
- 417 (m) Delorazepam;
- 418 (n) Diazepam;
- 419 (o) Estazolam;
- 420 (p) Ethchlorvynol;
- 421 (q) Ethinamate;
- 422 (r) Ethyl loflazepate;
- 423 (s) Fludiazepam;
- 424 (t) Flunitrazepam;
- 425 (u) Flurazepam;
- 426 (v) Halazepam;
- 427 (w) Haloxazolam;
- 428 (x) Ketazolam;
- 429 (y) Loprazolam;
- 430 (z) Lorazepam;
- 431 (aa) Lormetazepam;
- 432 (bb) Mebutamate;
- 433 (cc) Medazepam;
- 434 (dd) Meprobamate;
- 435 (ee) Methohexital;
- 436 (ff) Methylphenobarbital;
- 437 (gg) Midazolam;
- 438 (hh) Nimetazepam;
- 439 (ii) Nitrazepam;
- 440 (jj) Nordiazepam;
- 441 (kk) Oxazepam;
- 442 (ll) Oxazolam;
- 443 (mm) Paraldehyde;
- 444 (nn) Petrichloral;
- 445 (oo) Phenobarbital;
- 446 (pp) Pinazepam;
- 447 (qq) Prazepam;

- 448 (rr) Quazepam;
- 449 (ss) Temazepam;
- 450 (tt) Tetrazepam;
- 451 (uu) Triazolam;
- 452 (vv) Zolpidem;
- 453 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 454 following substance including its salts, isomers and salts of isomers whenever the existence of
- 455 such salts, isomers and salts of isomers is possible: fenfluramine;
- 456 (4) Any material, compound, mixture or preparation containing any quantity of the
- 457 following substances having a stimulant effect on the central nervous system, including their
- 458 salts, isomers and salts of isomers:
- 459 (a) Cathine ((+)-norpseudoephedrine);
- 460 (b) Diethylpropion;
- 461 (c) Fencamfamin;
- 462 (d) Fenproporex;
- 463 (e) Mazindol;
- 464 (f) Mefenorex;
- 465 (g) Pemoline, including organometallic complexes and chelates thereof;
- 466 (h) Phentermine;
- 467 (i) Pipradrol;
- 468 (j) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 469 (5) Any material, compound, mixture or preparation containing any quantity of the
- 470 following substance, including its salts: pentazocine;
- 471 (6) Any material, compound, mixture or preparation which contains any quantity of the
- 472 following substances having a stimulant effect on the central nervous system including their
- 473 salts, isomers and salts of isomers: ephedrine or its salts, optical isomers, or salts of optical
- 474 isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers,
- 475 or salts of optical isomers and therapeutically insignificant quantities of another active medicinal
- 476 ingredient;
- 477 (7) The department of health and senior services may except by rule any compound,
- 478 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
- 479 subsection from the application of all or any part of sections 195.010 to 195.320 if the
- 480 compound, mixture, or preparation contains one or more active medicinal ingredients not having
- 481 a depressant effect on the central nervous system, and if the admixtures are included therein in
- 482 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
- 483 substances which have a depressant effect on the central nervous system.

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

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

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

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

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

493           (1) Any material, compound, mixture or preparation containing any of the following  
494 narcotic drug and its salts: buprenorphine;

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

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

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

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

506           (3) Any material, compound, mixture or preparation which contains any quantity of the  
507 following substance having a stimulant effect on the central nervous system including its salts,  
508 isomers and salts of isomers: pyrovalerone.

509           11. The department of health and senior services shall revise and republish the schedules  
510 annually.