

SECOND REGULAR SESSION

HOUSE BILL NO. 1210

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LIPKE (Sponsor) AND ROORDA (Co-sponsor).

3480L.011

D. ADAM CRUMBLISS, Chief Clerk

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Section A. Sections 195.017 and 195.417, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 195.017, to read as follows: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

(f) Alphamethadol;

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.

- 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) Etoperidine;
- 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) Hydromorphanol;
- 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) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
101 (f) 4-methoxyamphetamine;
102 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
103 (h) 4-methyl-2, 5-dimethoxyamphetamine;
104 (i) 3,4-methylenedioxyamphetamine;
105 (j) 3,4-methylenedioxymethamphetamine;
106 (k) 3,4-methylenedioxy-N-ethylamphetamine;
107 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
108 (m) 3,4,5-trimethoxyamphetamine;
109 (n) Alpha-ethyltryptamine;
110 (o) Alpha-methyltryptamine;
111 (p) Bufotenine;
112 (q) Diethyltryptamine;
113 (r) Dimethyltryptamine;
114 (s) 5-methoxy-N,N-diisopropyltryptamine;
115 (t) Ibogaine;
116 (u) Lysergic acid diethylamide;
117 (v) Marijuana or marihuana;
118 (w) Mescaline;
119 (x) Parahexyl;
120 (y) Peyote, to include all parts of the plant presently classified botanically as Lophophora
121 Williamsil Lemaire, whether growing or not; the seeds thereof; any extract from any part of such
122 plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant,
123 its seed or extracts;
124 (z) N-ethyl-3-piperidyl benzilate;

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

- 161 (h) N,N-dimethylamphetamine;
- 162 (7) A temporary listing of substances subject to emergency scheduling under federal law
- 163 shall include any material, compound, mixture or preparation which contains any quantity of the
- 164 following substances:
- 165 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its optical isomers,
- 166 salts and salts of isomers;
- 167 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its
- 168 optical isomers, salts and salts of isomers;
- 169 (8) Khat, to include all parts of the plant presently classified botanically as *catha edulis*,
- 170 whether growing or not; the seeds thereof; any extract from any part of such plant; and every
- 171 compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.
- 172 3. The department of health and senior services shall place a substance in Schedule II
- 173 if it finds that:
- 174 (1) The substance has high potential for abuse;
- 175 (2) The substance has currently accepted medical use in treatment in the United States,
- 176 or currently accepted medical use with severe restrictions; and
- 177 (3) The abuse of the substance may lead to severe psychic or physical dependence.
- 178 4. The controlled substances listed in this subsection are included in Schedule II:
- 179 (1) Any of the following substances whether produced directly or indirectly by extraction
- 180 from substances of vegetable origin, or independently by means of chemical synthesis, or by
- 181 combination of extraction and chemical synthesis:
- 182 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or
- 183 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
- 184 nalmefene, naloxone and naltrexone, and their respective salts but including the following:
- 185 a. Raw opium;
- 186 b. Opium extracts;
- 187 c. Opium fluid;
- 188 d. Powdered opium;
- 189 e. Granulated opium;
- 190 f. Tincture of opium;
- 191 g. Codeine;
- 192 h. Ethylmorphine;
- 193 i. Etorphine hydrochloride;
- 194 j. Hydrocodone;
- 195 k. Hydromorphone;
- 196 l. Metopon;

- 197 m. Morphine;
198 n. Oxycodone;
199 o. Oxymorphone;
200 p. Thebaine;
201 (b) Any salt, compound, derivative, or preparation thereof which is chemically
202 equivalent or identical with any of the substances referred to in this subdivision, but not
203 including the isoquinoline alkaloids of opium;
204 (c) Opium poppy and poppy straw;
205 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
206 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
207 with any of these substances, but not including decocainized coca leaves or extractions which
208 do not contain cocaine or ecgonine;
209 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
210 or powder form which contains the phenanthrene alkaloids of the opium poppy);
211 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
212 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within
213 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
214 (a) Alfentanil;
215 (b) Alphaprodine;
216 (c) Anileridine;
217 (d) Bezitramide;
218 (e) Bulk dextropropoxyphene;
219 (f) Carfentanil;
220 (g) Butyl nitrite;
221 (h) Dihydrocodeine;
222 (i) Diphenoxylate;
223 (j) Fentanyl;
224 (k) Isomethadone;
225 (l) Levo-alphacetylmethadol;
226 (m) Levomethorphan;
227 (n) Levorphanol;
228 (o) Metazocine;
229 (p) Methadone;
230 (q) Meperidine;
231 (r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

- 232 (s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic
233 acid;
- 234 (t) Pethidine (meperidine);
- 235 (u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 236 (v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 237 (w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 238 (x) Phenazocine;
- 239 (y) Piminodine;
- 240 (z) Racemethorphan;
- 241 (aa) Racemorphan;
- 242 (bb) Remifentanyl;
- 243 (cc) Sufentanyl;
- 244 (3) Any material, compound, mixture, or preparation which contains any quantity of the
245 following substances having a stimulant effect on the central nervous system:
- 246 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 247 (b) Lisdexamphetamine, its salts, isomers, and salts of its isomers;
- 248 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 249 (d) Phenmetrazine and its salts;
- 250 (e) Methylphenidate;
- 251 (4) Any material, compound, mixture, or preparation which contains any quantity of the
252 following substances having a depressant effect on the central nervous system, including its salts,
253 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
254 is possible within the specific chemical designation:
- 255 (a) Amobarbital;
- 256 (b) Glutethimide;
- 257 (c) Pentobarbital;
- 258 (d) Phencyclidine;
- 259 (e) Secobarbital;
- 260 (5) Any material or compound which contains any quantity of nabilone;
- 261 (6) Any material, compound, mixture, or preparation which contains any quantity of the
262 following substances:
- 263 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
- 264 (b) Immediate precursors to phencyclidine (PCP):
- 265 a. 1-phenylcyclohexylamine;
- 266 b. 1-piperidinocyclohexanecarbonitrile (PCC).

267 5. The department of health and senior services shall place a substance in Schedule III
268 if it finds that:

269 (1) The substance has a potential for abuse less than the substances listed in Schedules
270 I and II;

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

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

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

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

279 (a) Benzphetamine;

280 (b) Chlorphentermine;

281 (c) Clortermine;

282 (d) Phendimetrazine;

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

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

287 a. Amobarbital;

288 b. Secobarbital;

289 c. Pentobarbital;

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

291 a. Amobarbital;

292 b. Secobarbital;

293 c. Pentobarbital;

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

296 (d) Chlorhexadol;

297 (e) Embutramide;

298 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
299 a drug product for which an application has been approved under Section 505 of the federal
300 Food, Drug, and Cosmetic Act;

301 (g) Ketamine, its salts, isomers, and salts of isomers;

302 (h) Lysergic acid;

- 303 (i) Lysergic acid amide;
304 (j) Methyprylon;
305 (k) Sulfondiethylmethane;
306 (l) Sulfonethylmethane;
307 (m) Sulfonmethane;
308 (n) Tiletamine and zolazepam or any salt thereof;
309 (3) Nalorphine;
310 (4) Any material, compound, mixture, or preparation containing limited quantities of any
311 of the following narcotic drugs or their salts:
312 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
313 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
314 of opium;
315 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
316 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
317 therapeutic amounts;
318 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
319 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
320 isoquinoline alkaloid of opium;
321 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
322 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic
323 ingredients in recognized therapeutic amounts;
324 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more
325 than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in
326 recognized therapeutic amounts;
327 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters
328 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic
329 ingredients in recognized therapeutic amounts;
330 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per
331 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more
332 active nonnarcotic ingredients in recognized therapeutic amounts;
333 (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one
334 hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
335 amounts;
336 (5) Any material, compound, mixture, or preparation containing any of the following
337 narcotic drugs or their salts, as set forth in subdivision (6) of this subsection; buprenorphine;

(6) Anabolic steroids. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration. If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this paragraph. 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, esters and ethers:

- (a) $3\beta,17$ -dihydroxy-5 α -androstane;
- (b) $3\alpha,17\beta$ -dihydroxy-5 α -androstane;
- (c) 5 α -androstane-3,17-dione;
- (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy-5 α -androst-1-ene);
- (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy-5 α -androst-1-ene);
- (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
- (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
- (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
- (i) 4-androstenedione (androst-4-en-3,17-dione);
- (j) 5-androstenedione (androst-5-en-3,17-dione);
- (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
- (m) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- (n) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
- (o) Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);
- (p) Δ^1 -dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-3-one);
- (q) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
- (r) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstane-3-one);
- (s) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- (t) Fluoxymesterone (9-fluoro-17 α -methyl-11 $\beta,17\beta$ -dihydroxyandrost-4-en-3-one);
- (u) Formebolone (2-formyl-17 α -methyl-11 $\alpha,17\beta$ -dihydroxyandrost-1,4-dien-3-one);
- (v) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);
- (w) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
- (x) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- (y) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);

- 374 (z) Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);
375 (aa) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
376 (bb) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
377 (cc) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
378 (dd) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
379 (ee) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
380 (ff) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
381 (gg) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
382 (hh) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-
383 one);
384 (ii) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
385 (jj) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one);
386 (kk) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
387 (ll) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
388 (mm) 17 α -methyl- Δ 1-dihydrotestosterone(17 β -hydroxy-17 α -methyl-5 α -androst-1-en-
389 3-one) (a.k.a. '17- α -methyl-1-testosterone');
390 (nn) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
391 (oo) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
392 (pp) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
393 (qq) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
394 (rr) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
395 (ss) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
396 (tt) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
397 (uu) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
398 (vv) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
399 (ww) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
400 (xx) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
401 (yy) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
402 (zz) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
403 (aaa) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
404 one);
405 (bbb) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
406 (ccc) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
407 (ddd) Testolactone (13-hydroxy-3-oxo-13,17-secoandrost-1,4-dien-17-oic acid lactone);
408 (eee) Testosterone (17 β -hydroxyandrost-4-en-3-one);
409 (fff) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);

410 (ggg) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);

411 (hhh) Any salt, ester, or ether of a drug or substance described or listed in this
412 subdivision, except an anabolic steroid which is expressly intended for administration through
413 implants to cattle or other nonhuman species and which has been approved by the Secretary of
414 Health and Human Services for that administration;

415 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
416 United States Food and Drug Administration approved drug product;

417 (8) **Any compound, mixture, or preparation containing any detectable quantity of**
418 **ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical**
419 **isomers, or salts of optical isomers. Such compound, mixture, or preparation shall not**
420 **include any dietary supplements, herbs, or natural products, including concentrates or**
421 **extracts, that are not otherwise prohibited by law and that contain naturally occurring**
422 **ephedrine alkaloids in a matrix of organic material such that the substances do not exceed**
423 **fifteen percent of the total weight of the dietary supplement, herb, or natural product;**

424 (9) **The department of health and senior services may, upon written application of**
425 **a manufacturer, by rule, except any product containing any compound, mixture, or**
426 **preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or**
427 **pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers from**
428 **the application of all or any part of the sections 195.010 to 195.320 if such product is**
429 **formulated to effectively prevent conversion of the active ingredient into**
430 **methamphetamine or its salts or precursors. If the state highway patrol has probable**
431 **cause to believe that a product excepted under this subdivision does not effectively prevent**
432 **conversion of the active ingredient into methamphetamine or its salts or precursors and**
433 **the department is so notified, the department may issue an emergency rule revoking the**
434 **exception for the product pending a full hearing;**

435 (10) The department of health and senior services may except by rule any compound,
436 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
437 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
438 195.320 if the compound, mixture, or preparation contains one or more active medicinal
439 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
440 admixtures are included therein in combinations, quantity, proportion, or concentration that
441 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
442 the central nervous system.

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

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

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

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

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

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

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

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

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

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

464 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
465 or per one hundred grams;

466 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
467 or per one hundred grams;

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

471 (a) Alprazolam;

472 (b) Barbitol;

473 (c) Bromazepam;

474 (d) Camazepam;

475 (e) Chloral betaine;

476 (f) Chloral hydrate;

477 (g) Chlordiazepoxide;

478 (h) Clobazam;

479 (i) Clonazepam;

480 (j) Clorazepate;

481 (k) Clotiazepam;

- 482 (l) Cloxazolam;
- 483 (m) Delorazepam;
- 484 (n) Diazepam;
- 485 (o) Dichloralphenazone;
- 486 (p) Estazolam;
- 487 (q) Ethchlorvynol;
- 488 (r) Ethinamate;
- 489 (s) Ethyl loflazepate;
- 490 (t) Fludiazepam;
- 491 (u) Flunitrazepam;
- 492 (v) Flurazepam;
- 493 (w) Halazepam;
- 494 (x) Haloxazolam;
- 495 (y) Ketazolam;
- 496 (z) Loprazolam;
- 497 (aa) Lorazepam;
- 498 (bb) Lormetazepam;
- 499 (cc) Mebutamate;
- 500 (dd) Medazepam;
- 501 (ee) Meprobamate;
- 502 (ff) Methohexital;
- 503 (gg) Methylphenobarbital (mephobarbital);
- 504 (hh) Midazolam;
- 505 (ii) Nimetazepam;
- 506 (jj) Nitrazepam;
- 507 (kk) Nordiazepam;
- 508 (ll) Oxazepam;
- 509 (mm) Oxazolam;
- 510 (nn) Paraldehyde;
- 511 (oo) Petrichloral;
- 512 (pp) Phenobarbital;
- 513 (qq) Pinazepam;
- 514 (rr) Prazepam;
- 515 (ss) Quazepam;
- 516 (tt) Temazepam;
- 517 (uu) Tetrazepam;

518 (vv) Triazolam;
519 (ww) Zaleplon;
520 (xx) Zolpidem;
521 (yy) Zopiclone;
522 (3) Any material, compound, mixture, or preparation which contains any quantity of the
523 following substance including its salts, isomers and salts of isomers whenever the existence of
524 such salts, isomers and salts of isomers is possible: fenfluramine;
525 (4) Any material, compound, mixture or preparation containing any quantity of the
526 following substances having a stimulant effect on the central nervous system, including their
527 salts, isomers and salts of isomers:
528 (a) Cathine ((+)-norpseudoephedrine);
529 (b) Diethylpropion;
530 (c) Fencamfamin;
531 (d) Fenproporex;
532 (e) Mazindol;
533 (f) Mefenorex;
534 (g) Modafinil;
535 (h) Pemoline, including organometallic complexes and chelates thereof;
536 (i) Phentermine;
537 (j) Pipradrol;
538 (k) Sibutramine;
539 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
540 (5) Any material, compound, mixture or preparation containing any quantity of the
541 following substance, including its salts:
542 (a) butorphanol;
543 (b) pentazocine;
544 (6) [Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance
545 is the only active medicinal ingredient;
546 (7)] The department of health and senior services may except by rule any compound,
547 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
548 subsection from the application of all or any part of sections 195.010 to 195.320 if the
549 compound, mixture, or preparation contains one or more active medicinal ingredients not having
550 a depressant effect on the central nervous system, and if the admixtures are included therein in
551 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
552 substances which have a depressant effect on the central nervous system.

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

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

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

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

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

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

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

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

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

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

576 (3) [Any compound, mixture, or preparation containing any detectable quantity of
577 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
578 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
579 isomers, or salts of optical isomers;

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

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

587 (1) All packages of any compound, mixture, or preparation containing any detectable
588 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine,

589 its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind
590 a pharmacy counter where the public is not permitted, and only by a registered pharmacist or
591 registered pharmacy technician; and

592 (2) Any person purchasing, receiving or otherwise acquiring any compound, mixture,
593 or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers,
594 or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers
595 shall be at least eighteen years of age; and

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

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

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

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

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

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

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

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

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

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

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

620 17. The scheduling of substances specified in subdivision (3) of subsection 10 of this
621 section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds,
622 mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound,
623 mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must
624 be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

625 18. The manufacturer of a drug product or another interested party may apply with the
626 department of health and senior services for an exemption from this section. The department of
627 health and senior services may grant an exemption by rule from this section if the department
628 finds the drug product is not used in the illegal manufacture of methamphetamine or other
629 controlled or dangerous substances. The department of health and senior services shall rely on
630 reports from law enforcement and law enforcement evidentiary laboratories in determining if the
631 proposed product can be used to manufacture illicit controlled substances.

632 19.] **12.** The department of health and senior services shall revise and republish the
633 schedules annually.

634 [20. The department of health and senior services shall promulgate rules under chapter
635 536, RSMo, regarding the security and storage of Schedule V controlled substances, as described
636 in subdivision (3) of subsection 10 of this section, for distributors as registered by the department
637 of health and senior services.

638 21. Logs of transactions required to be kept and maintained by this section and section
639 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
640 the person whose transactions are recorded in the logs.]

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

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

11 (1) The sole active ingredient; or

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

13 (3) A combination of any of the products specified in subdivisions (1)
14 and (2) of this subsection;

15 in any total amount greater than nine grams, without regard to the number of
16 transactions.

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

24 (1) The sole active ingredient; or

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

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

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

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

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

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

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

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

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