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HOUSE BILL NO. 937

Offered January 11, 2006

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A BILL to amend and reenact §§ 54.1-3401, 54.1-3414, 54.1-3415, 54.1-3450, 54.1-3452, and 54.1-3454 of the Code of Virginia, relating to anabolic steroids, ordering and distribution of Schedule II drugs, and additions to certain controlled substances.

Patron—Morgan

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3401, 54.1-3414, 54.1-3415, 54.2-3450, 54.1-3452, and 54.1-3454 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-3401. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by (i) a practitioner or by his authorized agent and under his direction or (ii) the patient or research subject at the direction and in the presence of the practitioner.

"Advertisement" means all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of drugs or devices.

"Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman.

"Anabolic steroid" means any drug or hormonal substance, chemically and pharmacologically related to testosterone, other than estrogens, progestins, and corticosteroids, ~~that promotes muscle growth and dehydroepiandrosterone.~~

"Animal" means any nonhuman animate being endowed with the power of voluntary action.

"Automated drug dispensing system" means a mechanical or electronic system that performs operations or activities, other than compounding or administration, relating to pharmacy services, including the storage, dispensing, or distribution of drugs and the collection, control, and maintenance of all transaction information, to provide security and accountability for such drugs.

"Board" means the Board of Pharmacy.

"Bulk drug substance" means any substance that is represented for use, and that, when used in the compounding, manufacturing, processing, or packaging of a drug, becomes an active ingredient or a finished dosage form of the drug; however, "bulk drug substance" shall not include intermediates that are used in the synthesis of such substances.

"Change of ownership" of an existing entity permitted, registered or licensed by the Board means (i) the sale or transfer of all or substantially all of the assets of the entity or of any corporation that owns or controls the entity; (ii) the creation of a partnership by a sole proprietor, the dissolution of a partnership, or change in partnership composition; (iii) the acquisition or disposal of 50 percent or more of the outstanding shares of voting stock of a corporation owning the entity or of the parent corporation of a wholly owned subsidiary owning the entity, except that this shall not apply to any corporation the voting stock of which is actively traded on any securities exchange or in any over-the-counter market; (iv) the merger of a corporation owning the entity or of the parent corporation of a wholly-owned subsidiary owning the entity with another business or corporation; or (v) the expiration or forfeiture of a corporation's charter.

"Compounding" means the combining of two or more ingredients to fabricate such ingredients into a single preparation and includes the mixing, assembling, packaging, or labeling of a drug or device (i) by a pharmacist, or within a permitted pharmacy, pursuant to a valid prescription issued for a medicinal or therapeutic purpose in the context of a bona fide practitioner-patient-pharmacist relationship, or in expectation of receiving a valid prescription based on observed prescribing patterns; (ii) by or for a practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine as an incident to his administering or dispensing, if authorized to dispense, a controlled substance in the course of his professional practice; or (iii) for the purpose of, or as incident to, research, teaching, or chemical analysis and not for sale or for dispensing. The mixing, diluting, or reconstituting of a manufacturer's product drugs for the purpose of administration to a patient, when performed by a practitioner of

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59 medicine or osteopathy licensed under Chapter 29 (§ 54.1-2900 et seq.) or a person supervised by such
60 practitioner pursuant to subdivisions 4, 6, or 19 of § 54.1-2901, shall not be considered compounding.

61 "Controlled substance" means a drug, substance or immediate precursor in Schedules I through VI of
62 this chapter. The term shall not include distilled spirits, wine, malt beverages, or tobacco as those terms
63 are defined or used in Title 3.1 or Title 4.1.

64 "DEA" means the Drug Enforcement Administration, United States Department of Justice, or its
65 successor agency.

66 "Deliver" or "delivery" means the actual, constructive, or attempted transfer of any item regulated by
67 this chapter, whether or not there exists an agency relationship.

68 "Device" means instruments, apparatus, and contrivances, including their components, parts and
69 accessories, intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in
70 man or animals or to affect the structure or any function of the body of man or animals.

71 "Dialysis care technician" or "dialysis patient care technician" means an individual who is certified
72 by an organization approved by the Board of Health Professions pursuant to Chapter 27.01
73 (§ 54.1-2729.1 et seq.) and who, under the supervision of a licensed physician, nurse practitioner,
74 physician assistant or a registered nurse, assists in the care of patients undergoing renal dialysis
75 treatments in a Medicare-certified renal dialysis facility.

76 "Dialysis solution" means either the commercially available, unopened, sterile solutions whose
77 purpose is to be instilled into the peritoneal cavity during the medical procedure known as peritoneal
78 dialysis, or commercially available solutions whose purpose is to be used in the performance of
79 hemodialysis not to include any solutions administered to the patient intravenously.

80 "Dispense" means to deliver a drug to an ultimate user or research subject by or pursuant to the
81 lawful order of a practitioner, including the prescribing and administering, packaging, labeling or
82 compounding necessary to prepare the substance for that delivery. However, dispensing shall not include
83 the transportation of drugs mixed, diluted, or reconstituted in accordance with this chapter to other sites
84 operated by such practitioner or that practitioner's medical practice for the purpose of administration of
85 such drugs to patients of the practitioner or that practitioner's medical practice at such other sites. For
86 practitioners of medicine or osteopathy, "dispense" shall only include the provision of drugs by a
87 practitioner to patients to take with them away from the practitioner's place of practice.

88 "Dispenser" means a practitioner who dispenses.

89 "Distribute" means to deliver other than by administering or dispensing a controlled substance.

90 "Distributor" means a person who distributes.

91 "Drug" means (i) articles or substances recognized in the official United States Pharmacopoeia
92 National Formulary or official Homeopathic Pharmacopoeia of the United States, or any supplement to
93 any of them; (ii) articles or substances intended for use in the diagnosis, cure, mitigation, treatment or
94 prevention of disease in man or animals; (iii) articles or substances, other than food, intended to affect
95 the structure or any function of the body of man or animals; or (iv) articles or substances intended for
96 use as a component of any article specified in clause (i), (ii) or (iii). "Drug" does not include devices or
97 their components, parts or accessories.

98 "Drug product" means a specific drug in dosage form from a known source of manufacture, whether
99 by brand or therapeutically equivalent drug product name.

100 "Electronic transmission prescription" means any prescription, other than an oral or written
101 prescription or a prescription transmitted by facsimile machine, that is electronically transmitted directly
102 to a pharmacy without interception or intervention from a third party from a practitioner authorized to
103 prescribe or from one pharmacy to another pharmacy.

104 "Facsimile (FAX) prescription" means a written prescription or order, which is transmitted by an
105 electronic device over telephone lines that sends the exact image to the receiving pharmacy in hard copy
106 form.

107 "FDA" means the United States Food and Drug Administration.

108 "Hashish oil" means any oily extract containing one or more cannabinoids, but shall not include any
109 such extract with a tetrahydrocannabinol content of less than 12 percent by weight.

110 "Immediate precursor" means a substance which the Board of Pharmacy has found to be and by
111 regulation designates as being the principal compound commonly used or produced primarily for use,
112 and which is an immediate chemical intermediary used or likely to be used in the manufacture of a
113 controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.

114 "Label" means a display of written, printed or graphic matter upon the immediate container of any
115 article. A requirement made by or under authority of this chapter that any word, statement or other
116 information appear on the label shall not be considered to be complied with unless such word, statement
117 or other information also appears on the outside container or wrapper, if any, of the retail package of
118 such article, or is easily legible through the outside container or wrapper.

119 "Labeling" means all labels and other written, printed or graphic matter on an article or any of its
120 containers or wrappers, or accompanying such article.

"Manufacture" means the production, preparation, propagation, conversion or processing of any item regulated by this chapter, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. This term does not include compounding.

"Manufacturer" means every person who manufactures.

"Marijuana" means any part of a plant of the genus *Cannabis* whether growing or not, its seeds or resin; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or its resin. Marijuana shall not include any oily extract containing one or more cannabinoids unless such extract contains less than 12 percent of tetrahydrocannabinol by weight, nor shall marijuana include the mature stalks of such plant, fiber produced from such stalk, oil or cake made from the seeds of such plant, unless such stalks, fiber, oil or cake is combined with other parts of plants of the genus *Cannabis*.

"Medical equipment supplier" means any person, as defined in § 1-230, engaged in the delivery to the ultimate consumer, pursuant to the lawful order of a practitioner, of hypodermic syringes and needles, medicinal oxygen, Schedule VI controlled devices, those Schedule VI controlled substances with no medicinal properties which are used for the operation and cleaning of medical equipment and solutions for peritoneal dialysis.

"Narcotic drug" means any of the following, 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: (i) opium, opiates, and any salt, compound, derivative, or preparation of opium or opiates; (ii) any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (i), but not including the isoquinoline alkaloids of opium; (iii) opium poppy and poppy straw; (iv) coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extraction of coca leaves which do not contain cocaine or ecgonine.

"New drug" means: (i) any drug, except a new animal drug or an animal feed bearing or containing a new animal drug, the composition of which is such that such drug is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety and effectiveness of drugs, as safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling, except that such a drug not so recognized shall not be deemed to be a "new drug" if at any time prior to the enactment of this chapter it was subject to the Food and Drugs Act of June 30, 1906, as amended, and if at such time its labeling contained the same representations concerning the conditions of its use; or (ii) any drug, except a new animal drug or an animal feed bearing or containing a new animal drug, the composition of which is such that such drug, as a result of investigations to determine its safety and effectiveness for use under such conditions, has become so recognized, but which has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions.

"Nuclear medicine technologist" means an individual who holds a current certification with the American Registry of Radiological Technologists or the Nuclear Medicine Technology Certification Board.

"Official compendium" means the official United States Pharmacopoeia National Formulary, official Homeopathic Pharmacopoeia of the United States, or any supplement to any of them.

"Official written order" means an order written on a form provided for that purpose by the United States Drug Enforcement Administration, under any laws of the United States making provision therefor, if such order forms are authorized and required by federal law, and if no such order form is provided then on an official form provided for that purpose by the Board of Pharmacy.

"Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under Article 4 (§ 54.1-3437 et seq.) of this chapter, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

"Opium poppy" means the plant of the species *Papaver somniferum* L., except the seeds thereof.

"Original package" means the unbroken container or wrapping in which any drug or medicine is enclosed together with label and labeling, put up by or for the manufacturer, wholesaler, or distributor for use in the delivery or display of such article.

"Person" means both the plural and singular, as the case demands, and includes an individual, partnership, corporation, association, governmental agency, trust, or other institution or entity.

"Pharmacist-in-charge" means the person who, being licensed as a pharmacist, signs the application

182 for a pharmacy permit and assumes full legal responsibility for the operation of the relevant pharmacy in
183 a manner complying with the laws and regulations for the practice of pharmacy and the sale and
184 dispensing of controlled substances; the "pharmacist-in-charge" shall personally supervise the pharmacy
185 and the pharmacy's personnel as required by § 54.1-3432.

186 "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

187 "Practitioner" means a physician, dentist, licensed nurse practitioner pursuant to § 54.1-2957.01,
188 licensed physician assistant pursuant to § 54.1-2952.1, pharmacist pursuant to § 54.1-3300, TPA-certified
189 optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32, veterinarian, scientific investigator,
190 or other person licensed, registered or otherwise permitted to distribute, dispense, prescribe and
191 administer, or conduct research with respect to, a controlled substance in the course of professional
192 practice or research in the Commonwealth.

193 "Prescriber" means a practitioner who is authorized pursuant to §§ 54.1-3303 and 54.1-3408 to issue
194 a prescription.

195 "Prescription" means an order for drugs or medical supplies, written or signed or transmitted by word
196 of mouth, telephone, telegraph or other means of communication to a pharmacist by a duly licensed
197 physician, dentist, veterinarian or other practitioner, authorized by law to prescribe and administer such
198 drugs or medical supplies.

199 "Prescription drug" means any drug required by federal law or regulation to be dispensed only
200 pursuant to a prescription, including finished dosage forms and active ingredients subject to § 503 (b) of
201 the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 353 (b)).

202 "Production" or "produce" includes the manufacture, planting, cultivation, growing or harvesting of a
203 controlled substance or marijuana.

204 "Proprietary medicine" means a completely compounded nonprescription drug in its unbroken,
205 original package which does not contain any controlled substance or marijuana as defined in this chapter
206 and is not in itself poisonous, and which is sold, offered, promoted or advertised directly to the general
207 public by or under the authority of the manufacturer or primary distributor, under a trademark, trade
208 name or other trade symbol privately owned, and the labeling of which conforms to the requirements of
209 this chapter and applicable federal law. However, this definition shall not include a drug which is only
210 advertised or promoted professionally to licensed practitioners, a narcotic or drug containing a narcotic,
211 a drug which may be dispensed only upon prescription or the label of which bears substantially the
212 statement "Warning - may be habit-forming," or a drug intended for injection.

213 "Radiopharmaceutical" means any drug that exhibits spontaneous disintegration of unstable nuclei
214 with the emission of nuclear particles or photons and includes any non-radioactive reagent kit or
215 radionuclide generator that is intended to be used in the preparation of any such substance, but does not
216 include drugs such as carbon-containing compounds or potassium-containing salts that include trace
217 quantities of naturally occurring radionuclides. The term also includes any biological product that is
218 labeled with a radionuclide or intended solely to be labeled with a radionuclide.

219 "Sale" includes barter, exchange, or gift, or offer therefor, and each such transaction made by any
220 person, whether as an individual, proprietor, agent, servant or employee.

221 "Therapeutically equivalent drug products" means drug products that contain the same active
222 ingredients and are identical in strength or concentration, dosage form, and route of administration and
223 that are classified as being therapeutically equivalent by the United States Food and Drug Administration
224 pursuant to the definition of "therapeutically equivalent drug products" set forth in the most recent
225 edition of the Approved Drug Products with Therapeutic Equivalence Evaluations, otherwise known as
226 the "Orange Book."

227 "USP-NF" means the current edition of the United States Pharmacopeia-National Formulary.

228 "Warehouser" means any person, other than a wholesale distributor, engaged in the business of
229 selling or otherwise distributing prescription drugs or devices to any person who is not the ultimate user
230 or consumer. No person shall be subject to any state or local tax by reason of this definition.

231 "Wholesale distribution" means distribution of prescription drugs to persons other than consumers or
232 patients, subject to the exceptions set forth in § 54.1-3401.1.

233 "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs
234 including, but not limited to, manufacturers; repackers; own-label distributors; private-label distributors;
235 jobbers; brokers; warehouses, including manufacturers' and distributors' warehouses, chain drug
236 warehouses conducting wholesale distributions, and wholesale drug warehouses; independent wholesale
237 drug traders; and retail pharmacies conducting wholesale distributions. No person shall be subject to any
238 state or local tax as a wholesale merchant by reason of this definition.

239 The words "drugs" and "devices" as used in Chapter 33 (§ 54.1-3300 et seq.) and in this chapter
240 shall not include surgical or dental instruments, physical therapy equipment, X-ray apparatus or glasses
241 or lenses for the eyes.

242 The terms "pharmacist," "pharmacy" and "practice of pharmacy" as used in this chapter shall be
243 defined as provided in Chapter 33 unless the context requires a different meaning.

§ 54.1-3414. Official orders for Schedule II drugs.

An official written order for any Schedule II drug shall be signed by the purchasing licensee or by his agent. The original shall be presented to the person who supplies the drug or drugs. If such person accepts the order, each party to the transaction shall preserve his copy of the order for two years in such a way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this chapter. It shall be deemed a compliance with this section if the parties to the transaction have complied with the federal laws respecting the requirements governing the use of order forms. *Parties ordering Schedule II drugs electronically shall comply with all requirements of federal law and regulation governing such transactions.*

§ 54.1-3415. Distribution of drugs in Schedules II through VI by manufacturers and wholesalers.

A. A permitted manufacturer or wholesaler may distribute Schedule II drugs to any of the following persons, but only on official written orders *or pursuant to an electronic order in compliance with federal laws and regulations governing the electronic ordering of Schedule II drugs:*

1. To a manufacturer or wholesaler who has been issued permits pursuant to this chapter;

2. To a licensed pharmacist, permitted pharmacy or a licensed practitioner of medicine, osteopathy, podiatry, dentistry or veterinary medicine;

3. To a person who has been issued a controlled substance registration certificate pursuant to § 54.1-3422, if the certificate of such person authorizes such purchase;

4. On a special written order accompanied by a certificate of exemption, as required by the federal laws, to a person in the employ of the United States government or of any state, territorial, district, county, municipal, or insular government, purchasing, receiving or possessing drugs by reason of his official duties;

5. To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed, for the actual medical needs of persons on board such ship or aircraft when not in port. However, such drugs shall be sold to a master of such ship or person in charge of such aircraft pursuant to a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States Public Health Service; and

6. To a person in a foreign country in compliance with the provisions of the relevant federal laws.

B. A permitted manufacturer or wholesaler may distribute drugs classified in Schedule III through Schedule VI and devices to all persons listed in subsection A of this section without an official written order. However, this section shall not be construed to prohibit the distribution of a Schedule VI drug or device to any person who is otherwise authorized by law to administer, prescribe or dispense such drug or device.

§ 54.1-3450. Schedule III.

The controlled substances listed in this section are included in Schedule III:

1. Unless specifically exempted or 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:

Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules;

Any compound, mixture or preparation containing amobarbital, secobarbital, or pentobarbital or any salt of amobarbital, secobarbital, or pentobarbital and one or more other active medicinal ingredients which are not listed in Schedules II through V;

Any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of amobarbital, secobarbital, or pentobarbital and approved by the Food and Drug Administration for marketing only as a suppository;

Chlorhexadol;

Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 355);

Ketamine, its salts, isomers, and salts of isomers (some other names: [\uparrow] -2-[2-chlorophenyl]-2-[methylamino]-cyclohexanone);

Lysergic acid;

Lysergic acid amide;

Methyprylon;

Sulfondiethylmethane;

Sulfonethylmethane;

Sulfonmethane; and

Tiletamine - zolazepam combination product or any salt thereof.

2. Nalorphine.

3. Unless specifically excepted or unless listed in another schedule:

305 a. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or
306 their salts thereof:

307 Buprenorphine.

308 b. Any material, compound, mixture, or preparation containing limited quantities of any of the
309 following narcotic drugs, or any salts thereof:

310 Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90
311 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

312 Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90
313 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
314 amounts;

315 Not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100
316 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an
317 isoquinoline alkaloid of opium;

318 Not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100
319 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic
320 ingredients in recognized therapeutic amounts;

321 Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than
322 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
323 therapeutic amounts;

324 Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more
325 than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;

326 Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25
327 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
328 amounts;

329 Not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams
330 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

331 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
332 or preparation which contains any quantity of the following substances having a stimulant effect on the
333 central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of
334 such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the
335 specific chemical designation:

336 Benzphetamine;

337 Chlorphentermine;

338 Clortermine;

339 Phendimetrazine.

340 5. The Board may except by regulation any compound, mixture, or preparation containing any
341 stimulation or depressant substance listed in subsection A from the application of all or any part of this
342 chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not
343 having a stimulant or depressant effect on the central nervous system, and if the admixtures are included
344 therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
345 substances which have a stimulant or depressant effect on the central nervous system.

346 6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
347 or preparation containing any quantity of the following substances, including its salts, isomers, and salts
348 of isomers whenever the existence of such salts of isomers is possible within the specific chemical
349 designation:

350 Anabolic steroids, including, but not limited to:

351 *3beta,17-dihydroxy-5a-androstane;*

352 *3alpha,17beta-dihydroxy-5a-androstane;*

353 *5alpha-androstan-3,17-dione;*

354 *1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);*

355 *1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);*

356 *4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);*

357 *5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);*

358 *1-androstenedione ([5alpha]-androst-1-en-3,17-dione);*

359 *4-androstenedione (androst-4-en-3,17-dione);*

360 *5-androstenedione (androst-5-en-3,17-dione);*

361 *Bolasterone (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);*

362 *Boldenone (Dehydrotestosterone) (17beta-hydroxyandrost-1,4,-diene-3-one);*

363 *Calusterone (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);*

364 *Clostebol (4-Chlorotestosterone) (Chlorotestosterone) (4-chloro-17beta-hydroxyandrost-4-en-3-one);*

365 *Dehydrochloromethyltestosterone (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);*

366 *Delta1-dihydrotestosterone (1-testosterone) (17beta-hydroxy-5alpha-androst-1-en-3-one);*

- 367 Dromostanolone (Drostanolone) (*17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one*);
 368 Ethylestrenol (*17alpha-ethyl-17beta-hydroxyestr-4-ene*);
 369 Fluoxymesterone (*9-fluoro-17alpha-methyl-11beta,17beta-dihydroxyandrost-4-en-3-one*);
 370 Formyldienolone (*Formebolone*)
 371 (*2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1,4-dien-3-one*);
 372 Furazabol (*17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan*);
 373 *13-beta-ethyl-17alpha-hydroxygon-4-en-3-one*;
 374 *4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one)*;
 375 *4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one)*;
 376 Mestanolone (*17alpha-methyl-17beta-hydroxy-5-androstan-3-one*);
 377 Mesterolone (*1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one*);
 378 Methandriol (methylandrostenediol) (*17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene*);
 379 Methandrostenolone (Methandienone) (Dehydromethyltestosterone)
 380 (*17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one*);
 381 Methenolone (*1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one*);
 382 *17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane*;
 383 *17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane*;
 384 *17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene*;
 385 *17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one)*;
 386 *methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one)*;
 387 *methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one)*;
 388 *17-Methyltestosterone (Methyltestosterone) (17alpha-methyl-17beta-hydroxyandrost-4-en-3-one)*;
 389 Mibolerone (*7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one*);
 390 Nandrolone (*19-Nortestosterone (17beta-hydroxyestr-4-en-3-one)*;
 391 *17alpha-methyl-delta* *1-dihydrotestosterone*
 392 (*17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one (17-alpha-methyl-1-testosterone)*;
 393 *19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene)*;
 394 *19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene)*;
 395 *19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene)*;
 396 *19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene)*;
 397 *19-nor-4-androstenedione (estr-4-en-3,17-dione)*;
 398 *19-nor-5-androstenedione (estr-5-en-3,17-dione)*;
 399 *norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one)*;
 400 *norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one)*;
 401 Norethandrolone (*17alpha-ethyl-17beta-hydroxyestr-4-en-3-one*);
 402 Oxandrolone (*17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one*);
 403 Oxymesterone (Oxymestron) (*17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one*);
 404 Oxymetholone (Anasterone)
 405 (*17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]-androstan-3-one*);
 406 Stanolone (*4-Dihydrotestosterone (Dihydrotestosterone) (17beta-hydroxy-androstan-3-one)*;
 407 Stanozolol (Androstanazole) (*17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]-pyrazole*);
 408 Stenbolone (*17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one*);
 409 Testolactone (1-Dehydrotestololactone) (*13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid*
 410 *lactone*);
 411 Testosterone (*17beta-hydroxyandrost-4-en-3-one*);
 412 Tetrahydrogestrinone (*13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one*);
 413 Trenbolone (Trienbolone) (Trienolone) (*17beta-hydroxyestr-4,9,11-trien-3-one*); and
 414 Any salt, ester, or isomer ether of a drug or substance described or listed in this paragraph, if that
 415 salt, ester, or isomer promotes muscle growth. However, such term does not include an anabolic steroid
 416 which is expressly intended for administration through implants to cattle or other nonhuman species and
 417 which has been approved by the United States Secretary of Health and Human Services for such
 418 administration. If any person prescribes, dispenses, or distributes any such steroid for human use, such
 419 person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
 420 meaning of this subsection.
 421 7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product
 422 approved by the U.S. Food and Drug Administration.
 423 § 54.1-3452. Schedule IV.
 424 The controlled substances listed in this section are included in Schedule IV unless specifically
 425 excepted or listed in another schedule:
 426 1. Any material, compound, mixture, or preparation which contains any quantity of the following
 427 substances having a potential for abuse associated with a depressant effect on the central nervous

428 system:

429 Alprazolam;
430 Barbitol;
431 Bromazepam;
432 Camazepam;
433 Chloral betaine;
434 Chloral hydrate;
435 Chlordiazepoxide;
436 Clobazam;
437 Clonazepam;
438 Clorazepate;
439 Clotiazepam;
440 Cloxazolam;
441 Delorazepam;
442 Diazepam;
443 Dichloralphenazone;
444 Estazolam;
445 Ethchlorvynol;
446 Ethinamate;
447 Ethyl loflazepate;
448 Fludiazepam;
449 Flunitrazepam;
450 Flurazepam;
451 Halazepam;
452 Haloxazolam;
453 Ketazolam;
454 Loprazolam;
455 Lorazepam;
456 Lormetazepam;
457 Mebutamate;
458 Medazepam;
459 Methohexital;
460 Meprobamate;
461 Methylphenobarbital;
462 Midazolam;
463 Nimetazepam;
464 Nitrazepam;
465 Nordiazepam;
466 Oxazepam;
467 Oxazolam;
468 Paraldehyde;
469 Petrichloral;
470 Phenobarbital;
471 Pinazepam;
472 Prazepam;
473 Quazepam;
474 Temazepam;
475 Tetrazepam;
476 Triazolam;
477 Zaleplon;
478 Zolpidem;
479 *Zopiclone*.

480 2. Any compound, mixture or preparation which contains any quantity of the following substances
481 including any salts or isomers thereof:

482 Fenfluramine.

483 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
484 or preparation which contains any quantity of the following substances having a stimulant effect on the
485 central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of
486 such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the
487 specific chemical designation:

488 Cathine (+)-norpseudoephedrine;
489 Diethylpropion;

Fencamfamin;
 Fenproporex;
 Mazindol;
 Mefenorex;
 Modafinil;
 Phentermine;
 Pemoline (including organometallic complexes and chelates thereof);
 Pipradrol;
 Sibutramine;
 SPA (-)-1-dimethylamino-1, 2-diphenylethane.

4. 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:

Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxy butane);

Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including their salts:

Butorphanol (including its optical isomers);

Pentazocine.

6. The Board may except by regulation any compound, mixture, or preparation containing any depressant substance listed in subdivision 1 from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

§ 54.1-3454. Schedule V.

The controlled substances listed in this section are included in Schedule V:

1. Any compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, which also contains 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:

Not more than 200 milligrams of codeine, or any of its salts, per 100 milliliters or per 100 grams;

Not more than 100 milligrams of dihydrocodeine, or any of its salts, per 100 milliliters or per 100 grams;

Not more than 100 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or per 100 grams;

Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

Not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

The Board may except by regulation any compound, mixture or preparation containing any depressant substance listed in subdivision 1 from the application of all or any part of this chapter and such substances so excepted may be dispensed pursuant to § 54.1-3416.

2. Unless specifically excepted or 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:

Pyrovalerone.

3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].