

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 54.1-3448, 54.1-3450, 54.1-3452, and 54.1-3454 of the Code of Virginia, relating to Schedule II, Schedule III, Schedule IV, and Schedule V drugs.

[H 953]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3448, 54.1-3450, 54.1-3452, and 54.1-3454 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-3448. Schedule II.

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

1. Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

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

Raw opium;

Opium extracts;

Opium fluid extracts;

Powdered opium;

Granulated opium;

Tincture of opium;

Codeine;

Dihydroetorphine;

Ethylmorphine;

Etorphine hydrochloride;

Hydrocodone;

Hydromorphone;

Metopon;

Oripavine (3-O-demethylthebaine or 6,7,8,14-tetrahydro-4,5-alpha-epoxy-6-methoxy-17-methylmorphinan-3-ol);

Morphine;

Oxycodone;

Oxymorphone;

Thebaine.

Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in this subdivision, but not including the isoquinoline alkaloids of opium.

Opium poppy and poppy straw.

Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine; cocaine or any salt or isomer thereof.

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

2. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

Alfentanil;

Alphaprodine;

Anileridine;

Bezitramide;

Bulk dextropropoxyphene (nondosage forms);

Carfentanil;

Dihydrocodeine;

Diphenoxylate;

- 57 Fentanyl;
 58 Isomethadone;
 59 Levo-alpha-acetylmethadol (levo-alpha-acetylmethadol)
 60 (levomethadyl acetate) (LAAM);
 61 Levomethorphan;
 62 Levorphanol;
 63 Metazocine;
 64 Methadone;
 65 Methadone - Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
 66 Moramide - Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid;
 67 Pethidine (other name: meperidine);
 68 Pethidine - Intermediate - A, 4-cyano-1-methyl-4-phenylpiperidine;
 69 Pethidine - Intermediate - B, ethyl-4-phenylpiperidine-4-carboxylate;
 70 Pethidine - Intermediate - C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
 71 Phenazocine;
 72 Piminodine;
 73 Racemethorphan;
 74 Racemorphan;
 75 Remifentanyl;
 76 Sufentanyl;
 77 *Tapentadol*.
 78 3. Any material, compound, mixture or preparation which contains any quantity of the following
 79 substances having a potential for abuse associated with a stimulant effect on the central nervous system:
 80 Amphetamine, its salts, optical isomers, and salts of its optical isomers;
 81 Phenmetrazine and its salts;
 82 Any substance which contains any quantity of methamphetamine, including its salts, isomers, and
 83 salts of isomers;
 84 Methylphenidate;
 85 Lisdexamfetamine, its salts, isomers, and salts of its isomers.
 86 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 87 or preparation which contains any quantity of the following substances having a depressant effect on the
 88 central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such
 89 salts, isomers, and salts of isomers is possible within the specific chemical designation:
 90 Amobarbital;
 91 Glutethimide;
 92 Secobarbital;
 93 Pentobarbital;
 94 Phencyclidine.
 95 5. The following hallucinogenic substance:
 96 Nabilone.
 97 6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 98 or preparation which contains any quantity of the following substances which are immediate precursors
 99 to amphetamine and methamphetamine or phencyclidine:
 100 Phenylacetone;
 101 1-phenylcyclohexylamine;
 102 1-piperidinocyclohexanecarbonitrile (other name: PCC).
 103 § 54.1-3450. Schedule III.
 104 The controlled substances listed in this section are included in Schedule III:
 105 1. Unless specifically exempted or listed in another schedule, any material, compound, mixture, or
 106 preparation which contains any quantity of the following substances having a depressant effect on the
 107 central nervous system:
 108 Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a
 109 derivative of barbituric acid, except those substances which are specifically listed in other schedules;
 110 Any compound, mixture or preparation containing amobarbital, secobarbital, or pentobarbital or any
 111 salt of amobarbital, secobarbital, or pentobarbital and one or more other active medicinal ingredients
 112 which are not listed in Schedules II through V;
 113 Any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of
 114 amobarbital, secobarbital, or pentobarbital and approved by the Food and Drug Administration for
 115 marketing only as a suppository;
 116 Chlorhexadol;
 117 Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of

118 isomers, for which an application is approved under section 505 of the Federal Food, Drug, and
 119 Cosmetic Act (21 U.S.C. § 355);
 120 Embutramide;
 121 Ketamine, its salts, isomers, and salts of isomers (some other names: [+-]
 122 -2-[2-chlorophenyl]-2-[methylamino]-cyclohexanone);
 123 Lysergic acid;
 124 Lysergic acid amide;
 125 Methypylon;
 126 Sulfondiethylmethane;
 127 Sulfonethylmethane;
 128 Sulfonmethane; and
 129 Tiletamine - zolazepam combination product or any salt thereof.
 130 2. Nalorphine.
 131 3. Unless specifically excepted or unless listed in another schedule:
 132 a. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or
 133 their salts thereof:
 134 Buprenorphine.
 135 b. Any material, compound, mixture, or preparation containing limited quantities of any of the
 136 following narcotic drugs, or any salts thereof:
 137 Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90
 138 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
 139 Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90
 140 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
 141 amounts;
 142 Not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100
 143 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an
 144 isoquinoline alkaloid of opium;
 145 Not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100
 146 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic
 147 ingredients in recognized therapeutic amounts;
 148 Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than
 149 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
 150 therapeutic amounts;
 151 Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more
 152 than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;
 153 Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25
 154 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
 155 amounts;
 156 Not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams
 157 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
 158 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 159 or preparation which contains any quantity of the following substances having a stimulant effect on the
 160 central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of
 161 such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the
 162 specific chemical designation:
 163 Benzphetamine;
 164 Chlorphentermine;
 165 Clortermine;
 166 Phendimetrazine.
 167 5. The Board may except by regulation any compound, mixture, or preparation containing any
 168 stimulation or depressant substance listed in subsection A from the application of all or any part of this
 169 chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not
 170 having a stimulant or depressant effect on the central nervous system, and if the admixtures are included
 171 therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
 172 substances which have a stimulant or depressant effect on the central nervous system.
 173 6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 174 or preparation containing any quantity of the following substances, including its salts, isomers, and salts
 175 of isomers whenever the existence of such salts of isomers is possible within the specific chemical
 176 designation:
 177 Anabolic steroids, including, but not limited to:
 178 3beta,17-dihydroxy-5a-androstane;

- 179 3alpha,17beta-dihydroxy-5a-androstane;
 180 5alpha-androstan-3,17-dione;
 181 1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);
 182 1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);
 183 4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);
 184 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);
 185 1-androstenedione ([5alpha]-androst-1-en-3,17-dione);
 186 4-androstenedione (androst-4-en-3,17-dione);
 187 5-androstenedione (androst-5-en-3,17-dione);
 188 Bolasterone (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
 189 Boldenone (Dehydrotestosterone) (17beta-hydroxyandrost-1,4,-diene-3-one);
 190 *Boldione (androsta-1, 4-diene-3, 17-dione)*;
 191 Calusterone (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
 192 Clostebol (4-Chlorotestosterone) (Chlorotestosterone) (4-chloro-17beta-hydroxyandrost-4-en-3-one);
 193 Dehydrochloromethyltestosterone (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);
 194 Delta1-dihydrotestosterone (1-testosterone) (17beta-hydroxy-5alpha-androst-1-en-3-one);
 195 *Desoxymethyltestosterone (madol) (17alpha-methyl-5alpha-androst-2-en-17beta-ol)*;
 196 Dromostanolone (Drostanolone) (17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);
 197 Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);
 198 Fluoxymesterone (9-fluoro-17alpha-methyl-11beta,17beta-dihydroxyandrost-4-en-3-one);
 199 *Formyldienolone* (Formebolone)
 200 (2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1,4-dien-3-one);
 201 Furazabol (17alpha-methyl-17beta-hydroxyandrostan[2,3-c]-furan);
 202 13-beta-ethyl-17alpha-hydroxygon-4-en-3-one;
 203 4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);
 204 4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);
 205 Mestanolone (17alpha-methyl-17beta-hydroxy-5-androstan-3-one);
 206 Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);
 207 Methandriol (methylandrostenediol) (17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);
 208 *Methandrostenolone (Methandienone) (Dehydromethyltestosterone)*
 209 (17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);
 210 Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);
 211 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;
 212 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;
 213 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene);
 214 17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);
 215 Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);
 216 Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one);
 217 17-Methyltestosterone (Methyltestosterone) (17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);
 218 Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);
 219 17alpha-methyl-delta1-dihydrotestosterone (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one)
 220 (17-alpha-methyl-1-testosterone);
 221 Nandrolone (19-Nortestosterone) (17beta-hydroxyestr-4-en-3-one);
 222 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);
 223 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);
 224 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);
 225 19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene);
 226 19-nor-4-androstenedione (estr-4-en-3,17-dione);
 227 19-nor-5-androstenedione (estr-5-en-3,17-dione);
 228 *19-no4-4, 9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione)*;
 229 Norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);
 230 Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);
 231 Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);
 232 Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);
 233 Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);
 234 Oxymesterone (Oxymestron) (17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);
 235 *Oxymetholone* (Anasterone)
 236 (17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]-androstan-3-one);
 237 Stanolone (4-Dihydrotestosterone) (Dihydrotestosterone) (17beta-hydroxy-androstan-3-one);
 238 Stanazolol (Androstanazole) (17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]-pyrazole);
 239 Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);

240 Testolactone (1-Dehydrotestololactone) (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
241 lactone);

242 Testosterone (17beta-hydroxandrost-4-en-3-one);

243 Tetrahydrogestrinone (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);

244 Trenbolone (Trienbolone) (Trienolone) (17beta-hydroxyestr-4,9,11-trien-3-one); and

245 Any salt, ester, or ether of a drug or substance described or listed in this paragraph. However, such
246 term does not include an anabolic steroid which is expressly intended for administration through
247 implants to cattle or other nonhuman species and which has been approved by the United States
248 Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or
249 distributes any such steroid for human use, such person shall be considered to have prescribed,
250 dispensed, or distributed an anabolic steroid within the meaning of this subsection.

251 7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product
252 approved by the U.S. Food and Drug Administration.

253 § 54.1-3452. Schedule IV.

254 The controlled substances listed in this section are included in Schedule IV unless specifically
255 excepted or listed in another schedule:

256 1. Any material, compound, mixture, or preparation which contains any quantity of the following
257 substances having a potential for abuse associated with a depressant effect on the central nervous
258 system:

259 Alprazolam;

260 Barbitol;

261 Bromazepam;

262 Camazepam;

263 Chloral betaine;

264 Chloral hydrate;

265 Chlordiazepoxide;

266 Clobazam;

267 Clonazepam;

268 Clorazepate;

269 Clotiazepam;

270 Cloxazolam;

271 Delorazepam;

272 Diazepam;

273 Dichloralphenazone;

274 Estazolam;

275 Ethchlorvynol;

276 Ethinamate;

277 Ethyl loflazepate;

278 Fludiazepam;

279 Flunitrazepam;

280 Flurazepam;

281 *Fospropofol*;

282 Halazepam;

283 Haloxazolam;

284 Ketazolam;

285 Loprazolam;

286 Lorazepam;

287 Lormetazepam;

288 Mebutamate;

289 Medazepam;

290 Methohexital;

291 Meprobamate;

292 Methylphenobarbital;

293 Midazolam;

294 Nimetazepam;

295 Nitrazepam;

296 Nordiazepam;

297 Oxazepam;

298 Oxazolam;

299 Paraldehyde;

300 Petrichloral;

301 Phenobarbital;
 302 Pinazepam;
 303 Prazepam;
 304 Quazepam;
 305 Temazepam;
 306 Tetrazepam;
 307 Triazolam;
 308 Zaleplon;
 309 Zolpidem;
 310 Zopiclone.

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

313 Fenfluramine.

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

319 Cathine (+)-norpseudoephedrine;

320 Diethylpropion;

321 Fencamfamin;

322 Fenproporex;

323 Mazindol;

324 Mefenorex;

325 Modafinil;

326 Phentermine;

327 Pemoline (including organometallic complexes and chelates thereof);

328 Pipradrol;

329 Sibutramine;

330 SPA (-)-1-dimethylamino-1, 2-diphenylethane.

331 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 332 or preparation containing any of the following narcotic drugs, or their salts calculated as the free
 333 anhydrous base or alkaloid, in limited quantities as set forth below:

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

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

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

339 Butorphanol (including its optical isomers);

340 Pentazocine.

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

347 § 54.1-3454. Schedule V.

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

349 1. Any compound, mixture, or preparation containing limited quantities of any of the following
 350 narcotic drugs, which also contains one or more nonnarcotic active medicinal ingredients in sufficient
 351 proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than
 352 those possessed by the narcotic drug alone:

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

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

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

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

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

361 Not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per

362 dosage unit.

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

366 2. Unless specifically excepted or listed in another schedule, any material, compound, mixture, or
367 preparation which contains any quantity of the following substances having a stimulant effect on the
368 central nervous system, including its salts, isomers, and salts of isomers:

369 Pyrovalerone.

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

373 *Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide];*

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