

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 54.1-3446, 54.1-3448, 54.1-3452, and 54.1-3454 of the Code of Virginia, relating to the Drug Control Act.

[H 844]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3446, 54.1-3448, 54.1-3452, and 54.1-3454 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-3446. Schedule I.

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

1. 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:

Acetylmethadol;

Allylprodine;

Alphamethylfentanyl;

Alphacetylmethadol (*except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM*) ;

Alphameprodine;

Alphamethadol;

Benzethidine;

Betacetylmethadol;

Betameprodine;

Betamethadol;

Betaprodine;

Clonitazene;

Dextromoramide;

Diampromide;

Diethylthiambutene;

Difenoxin;

Dimenoxadol;

Dimepheptanol;

Dimethylthiambutene;

Dioxaphetylbutyrate;

Dipipanone;

Ethylmethylthiambutene;

Etonitazene;

Etoxadine;

Furethidine;

Hydroxypethidine;

Ketobemidone;

Levomoramide;

Levophenacymorphan;

Morpheridine;

Noracymethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Phenadoxone;

Phenampromide;

Phenomorphan;

Phenoperidine;

Piritramide;

Proheptazine;

Properidine;

Propiram;

Racemoramide;

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58 Trimeperidine.

59 2. Any of the following opium derivatives, their salts, isomers and salts of isomers, unless
60 specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible
61 within the specific chemical designation:

62 Acetorphine;
63 Acetyldihydrocodeine;
64 Benzylmorphine;
65 Codeine methylbromide;
66 Codeine-N-Oxide;
67 Cyprenorphine;
68 Desomorphine;
69 Dihydromorphine;
70 Drotebanol;
71 Etorphine;
72 Heroin;
73 Hydromorphanol;
74 Methyldesorphine;
75 Methyldihydromorphine;
76 Morphine methylbromide;
77 Morphine methylsulfonate;
78 Morphine-N-Oxide;
79 Myrophine;
80 Nicocodeine;
81 Nicomorphine;
82 Normorphine;
83 Phoclodine;
84 Thebacon.

85 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
86 or preparation, which contains any quantity of the following hallucinogenic substances, or which
87 contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers,
88 and salts of isomers is possible within the specific chemical designation (for purposes of this subdivision
89 only, the term "isomer" includes the optical, position, and geometric isomers):

90 3,4-methylenedioxy amphetamine;
91 5-methoxy-3,4-methylenedioxy amphetamine;
92 3,4,5-trimethoxy amphetamine;
93 Bufotenine;
94 Diethyltryptamine;
95 Dimethyltryptamine;
96 4-methyl-2,5-dimethoxyamphetamine;
97 2,5-dimethoxy-4-ethylamphetamine (*DOET*)
98 Ibogaine;
99 Lysergic acid diethylamide;
100 Mescaline;
101 Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10- tetrahydro-6, 6,
102 9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl);
103 Peyote;
104 N-ethyl-3-piperidyl benzilate;
105 N-methyl-3-piperidyl benzilate;
106 Psilocybin;
107 Psilocyn;
108 Tetrahydrocannabinols, except as present in marijuana and dronabinol in sesame oil and encapsulated
109 in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration;
110 Hashish oil (Some trade or other names: hash oil; liquid marijuana; liquid hashish);
111 2,5-dimethoxyamphetamine (Some trade or other names: 2,5-dimethoxy-a-methylphenethylamine;
112 2,5-DMA);
113 4-bromo-2,5-dimethoxyamphetamine (Some trade or other names:
114 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA);
115 4-methoxyamphetamine (Some trade or other names: 4-methoxy-a-methylphenethylamine;
116 paramethoxyamphetamine; PMA);
117 N-ethyl analog of phencyclidine;
118 Pyrrolidine analog of phencyclidine;

119 Thiophene analog of phencyclidine;

120 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
121 or preparation which contains any quantity of the following substances having a depressant effect on the
122 central nervous system, including its salts, isomers and salts of isomers whenever the existence of such
123 salts, isomers and salts of isomers is possible within the specific chemical designation:

124 Mecloqualone;

125 Methaqualone.

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

129 Fenethylline;

130 Ethylamphetamine;

131 Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
132 2-aminopropiophenone, and norephedrone);

133 Methcathinone (some other names: 2-(methylamino)-propiofenone; alpha-(methylamino)
134 propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone;
135 monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR
136 1432).

137 6. Any material, compound, mixture or preparation containing any quantity of the following
138 substances:

139 3-methylfentanyl-(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]N-phenylpropanamide), its optical and
140 geometric isomers, salts, and salts of isomers;

141 3,4-methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts
142 and salts of isomers;

143 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical isomers, salts and salts of isomers;

144 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (PEPAP), its optical isomers, salts and salts of
145 isomers;

146 N-[1-(1-methyl-2-phenyl)ethyl-4-piperidyl]-N-phenylacetamide (acetyl-alpha-methylfentanyl), its
147 optical isomers, salts and salts of isomers;

148 N-[1-(1-methyl-2-2-thienyl)ethyl-4 piperidyl]-N-phenylpropanamide (alpha-methylthiofentanyl), its
149 optical isomers, salts and salts of isomers;

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

152 N-[1-(2-hydroxy-2-phenyl) ethyl-4-piperidyl]-N-phenylpropanamide (beta- hydroxyfentanyl), its
153 optical isomers, salts and salts of isomers;

154 N-[3-methyl-1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide
155 (beta-hydroxy-3-methylfentanyl), its optical and geometric isomers, salts and salts of isomers;

156 N-[3-methyl-1-(2-2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide (3-methylthiofentanyl), its optical
157 and geometric isomers, salts and salts of isomers;

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

160 N-[1-(2-2-thienyl)ethyl-4-piperidyl]-N-phenylpropanimide(thiofentanyl), its optical isomers, salts and
161 salts of isomers.

162 § 54.1-3448. Schedule II.

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

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

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

170 Raw opium;

171 Opium extracts;

172 Opium fluid extracts;

173 Powdered opium;

174 Granulated opium;

175 Tincture of opium;

176 Codeine;

177 Ethylmorphine;

178 Etorphine hydrochloride;

179 Hydrocodone;

- 180 Hydromorphone;
 181 Metopon;
 182 Morphine;
 183 Oxycodone;
 184 Oxymorphone;
 185 Thebaine.
 186 Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or
 187 identical with any of the substances referred to in this subdivision, but not including the isoquinoline
 188 alkaloids of opium.
 189 Opium poppy and poppy straw.
 190 Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt,
 191 compound, derivative, or preparation thereof which is chemically equivalent or identical with any of
 192 these substances, but not including decocainized coca leaves or extractions which do not contain cocaine
 193 or ecgonine; cocaine or any salt or isomer thereof.
 194 Concentrate of poppy straw, the crude extract of poppy straw in either liquid, solid or powder form,
 195 which contains the phenanthrene alkaloids of the opium poppy.
 196 2. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers,
 197 whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical
 198 designation:
 199 Alfentanil;
 200 Alphaprodine;
 201 Anileridine;
 202 Bezitramide;
 203 Bulk dextropropoxyphene (nondosage forms);
 204 Dihydrocodeine;
 205 Diphenoxylate;
 206 Fentanyl;
 207 Isomethadone;
 208 *Levo-alpha-acetylmethadol (levo-alpha-acetylmethadol)*
 209 *(levomethadyl acetate) (LAAM);*
 210 Levomethorphan;
 211 Levorphanol;
 212 Metazocine;
 213 Methadone;
 214 Methadone - Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
 215 Moramide - Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid;
 216 Pethidine;
 217 Pethidine - Intermediate - A, 4-cyano-1-methyl-4-phenylpiperidine;
 218 Pethidine - Intermediate - B, ethyl-4-phenylpiperidine-4-carboxylate;
 219 Pethidine - Intermediate - C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
 220 Phenazocine;
 221 Piminodine;
 222 Racemethorphan;
 223 Racemorphan.
 224 3. Any material, compound, mixture or preparation which contains any quantity of the following
 225 substances having a potential for abuse associated with a stimulant effect on the central nervous system:
 226 Amphetamine, its salts, optical isomers, and salts of its optical isomers;
 227 Phenmetrazine and its salts;
 228 Any substance which contains any quantity of methamphetamine, including its salts, isomers, and
 229 salts of isomers;
 230 Methylphenidate.
 231 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 232 or preparation which contains any quantity of the following substances having a depressant effect on the
 233 central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such
 234 salts, isomers, and salts of isomers is possible within the specific chemical designation:
 235 Amobarbital;
 236 Glutethimide
 237 Secobarbital;
 238 Pentobarbital;
 239 Phencyclidine.
 240 5. Any of the following hallucinogenic substances:

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

243 Nabilone.

244 6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 245 or preparation which contains any quantity of the following substances which are immediate precursors
 246 to amphetamine and methamphetamine or phencyclidine:

247 Phenylacetone;

248 1-phenylcyclohexylamine;

249 1-piperidinocyclohexanecarbonitrile.

250 § 54.1-3452. Schedule IV.

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

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

256 Alprazolam;

257 Barbitol;

258 Bromazepam;

259 Camazepam;

260 Chloral betaine;

261 Chloral hydrate;

262 Chlordiazepoxide;

263 Clobazam;

264 Clonazepam;

265 Clorazepate;

266 Clotiazepam;

267 Cloxazolam;

268 Delorazepam;

269 Diazepam;

270 Estazolam;

271 Ethchlorvynol;

272 Ethinamate;

273 Ethyl loflazepate;

274 Fludiazepam;

275 Flunitrazepam;

276 Flurazepam;

277 Halazepam;

278 Haloxazolam;

279 Ketazolam;

280 Loprazolam;

281 Lorazepam;

282 Lormetazepam;

283 Mebutamate;

284 Medazepam;

285 Methohexital;

286 Meprobamate;

287 Methylphenobarbital;

288 Midazolam;

289 Nimetazepam;

290 Nitrazepam;

291 Nordiazepam;

292 Oxazepam;

293 Oxazolam;

294 Paraldehyde;

295 Pentazocine;

296 Petrichloral;

297 Phenobarbital;

298 Pinazepam;

299 Prazepam;

300 Quazepam;

301 Temazepam;

302 Tetrazepam;

303 Triazolam;

304 Zolpidem.

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

307 Fenfluramine.

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

313 Cathine (+)-norpseudoephedrine;

314 Diethylpropion;

315 Fencamfamin;

316 Fenproporex;

317 Mazindol;

318 Mefenorex;

319 Phentermine;

320 Pemoline (including organometallic complexes and chelates thereof);

321 Pipradrol;

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

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

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

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

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

335 § 54.1-3454. Schedule V.

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

337 1. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
338 or preparation containing any of the following narcotic drugs and their salts, as set forth below:

339 Buprenorphine.

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

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

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

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

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

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

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

354 The Board may except by regulation any compound, mixture or preparation containing any
355 depressant substance listed in subdivision 2 from the application of all or any part of this chapter and
356 such substances so excepted may be dispensed pursuant to § 54.1-3416.

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

360 Propylhexedrine;

361 Pyrovalerone.

362 2. That the provisions of this act may result in a net increase in periods of imprisonment in state

363 correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation
364 is \$0.00.

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