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**SENATE BILL NO. 878**

Offered January 12, 2011

Prefiled January 10, 2011

*A BILL to amend and reenact § 54.1-3450 of the Code of Virginia, and to repeal § 18.2-248.8 of the Code of Virginia, relating to requiring a prescription for pseudoephedrine.*

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Patron—Reynolds

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Referred to Committee on Education and Health

**Be it enacted by the General Assembly of Virginia:****1. That § 54.1-3450 of the Code of Virginia is amended and reenacted as follows:**

§ 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);

Embutramide;

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

Lysergic acid;

Lysergic acid amide;

Methypylon;

Sulfondiethylmethane;

Sulfonethylmethane;

Sulfonmethane; and

Tiletamine - zolazepam combination product or any salt thereof.

2. Nalorphine.

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

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

Buprenorphine.

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

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

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

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

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

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

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therapeutic amounts;

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

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

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

4. Unless specifically excepted or unless 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 (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Benzphetamine;

Chlorphentermine;

Clortermine;

Phendimetrazine,;

*Pseudoephedrine*.

5. The Board may except by regulation any compound, mixture, or preparation containing any stimulation or depressant substance listed in subsection A 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 stimulant or 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 stimulant or depressant effect on the central nervous system.

6. 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, isomers, and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation:

Anabolic steroids, including, but not limited to:

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

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

5alpha-androstan-3,17-dione;

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

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

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

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

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

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

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

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

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

Boldione (androsta-1, 4-diene-3, 17-dione);

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

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

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

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

Desoxymethyltestosterone (madol) (17alpha-methyl-5alpha-androst-2-en-17beta-ol);

Dromostanolone (Drostanolone) (17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);

Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);

Fluoxymesterone (9-fluoro-17alpha-methyl-11beta,17beta-dihydroxyandrost-4-en-3-one);

Formyldienolone (Formebolone) (2-formyl-17alpha-methyl-11alpha,

17beta-dihydroxyandrost-1,4-dien-3-one);

Furazabol (17alpha-methyl-17beta-hydroxyandrostan[2,3-c]-furazan);

13-beta-ethyl-17alpha-hydroxygon-4-en-3-one;

4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);

4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);

Mestanolone (17alpha-methyl-17beta-hydroxy-5-androstan-3-one);

Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);

Methandriol (methylandrostenediol) (17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);

Methandrostenolone (Methandienone) (Dehydromethyltestosterone)

(17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);

Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);

- 121 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;  
 122 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;  
 123 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene);  
 124 17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);  
 125 Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);  
 126 Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one);  
 127 17-Methyltestosterone (Methyltestosterone) (17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);  
 128 Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);  
 129 17alpha-methyl-delta1-dihydrotestosterone (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one)  
 130 (17-alpha-methyl-1-testosterone);  
 131 Nandrolone (19-Nortestosterone) (17beta-hydroxyestr-4-en-3-one);  
 132 19-nor-4, 9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);  
 133 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);  
 134 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);  
 135 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);  
 136 19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene);  
 137 19-nor-4-androstenedione (estr-4-en-3,17-dione);  
 138 19-nor-5-androstenedione (estr-5-en-3,17-dione);  
 139 Norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);  
 140 Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);  
 141 Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);  
 142 Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);  
 143 Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androst-3-one);  
 144 Oxymesterone (Oxymestron) (17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);  
 145 Oxymetholone (Anasterone) (17alpha-methyl-2-hydroxymethylene-  
 146 17beta-hydroxy-[5alpha]-androst-3-one);  
 147 Stanolone (4-Dihydrotestosterone) (Dihydrotestosterone) (17beta-hydroxy-androst-3-one);  
 148 Stanozolol (Androstanoazole) (17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]-pyrazole);  
 149 Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);  
 150 Testolactone (1-Dehydrotestololactone) (13-hydroxy-3-oxo-13,17-secoandrost-1,4-dien-17-oic acid  
 151 lactone);  
 152 Testosterone (17beta-hydroxyandrost-4-en-3-one);  
 153 Tetrahydrogestrinone (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);  
 154 Trenbolone (Trienbolone) (Trienolone) (17beta-hydroxyestr-4,9,11-trien-3-one); and  
 155 Any salt, ester, or ether of a drug or substance described or listed in this paragraph. However, such  
 156 term does not include an anabolic steroid which is expressly intended for administration through  
 157 implants to cattle or other nonhuman species and which has been approved by the United States  
 158 Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or  
 159 distributes any such steroid for human use, such person shall be considered to have prescribed,  
 160 dispensed, or distributed an anabolic steroid within the meaning of this subsection.  
 161 7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product  
 162 approved by the U.S. Food and Drug Administration.  
 163 **2. That § 18.2-248.8 of the Code of Virginia is repealed.**