



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5233

Introduced 2/8/2012, by Rep. Jerry F. Costello, II

SYNOPSIS AS INTRODUCED:

410 ILCS 620/2.4	from Ch. 56 1/2, par. 502.4
410 ILCS 620/3.22	from Ch. 56 1/2, par. 503.22
410 ILCS 620/5	from Ch. 56 1/2, par. 505
410 ILCS 620/6	from Ch. 56 1/2, par. 506
720 ILCS 570/204	from Ch. 56 1/2, par. 1204

Amends the Illinois Food, Drug and Cosmetic Act. Sets forth a definition for "synthetic drug product". Provides that whoever distributes, or possesses with intent to distribute, a synthetic drug product or a drug that is misbranded under the Act is guilty of a Class 2 felony and may be fined an amount not to exceed \$100,000 and that a person convicted of a second or subsequent violation is guilty of a Class 1 felony, the fine for which shall not exceed \$250,000. Provides that whoever falsely advertises a synthetic drug product or a drug that is misbranded is guilty of a Class 3 felony and may be fined an amount not to exceed \$100,000. Makes changes to provisions concerning the classifications of certain violations and authorized agents of the Director of Public Health. Amends the Illinois Controlled Substances Act to include pentedrone in the list of controlled substances that are included in Schedule I.

LRB097 20167 RPM 65645 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Food, Drug and Cosmetic Act is
5 amended by changing Sections 2.4, 3.22, 5, and 6 as follows:

6 (410 ILCS 620/2.4) (from Ch. 56 1/2, par. 502.4)

7 Sec. 2.4. (a) "Drug" means (1) articles recognized in the
8 official United States Pharmacopoeia - National Formulary,
9 official Homeopathic Pharmacopoeia of the United States,
10 United States Dispensatory, or Remington's Practice of
11 Pharmacy, or any supplement to any of them; and (2) articles
12 intended for use in the diagnosis, cure, mitigation, treatment
13 or prevention of disease in man or other animals; and (3)
14 articles (other than food) intended to affect the structure or
15 any function of the body of man or other animals; and (4)
16 articles intended for use as a component of any article
17 specified in clause (1), (2) or (3); but does not include
18 devices or their components, parts or accessories.

19 (b) "Synthetic drug product" means any product that
20 contains a substance defined as a controlled substance under
21 subsections (d) and (e) of Section 204 of the Illinois
22 Controlled Substances Act. Products approved by the U.S. Food
23 and Drug Administration for human consumption are not synthetic

1 drug products.

2 (Source: P.A. 84-891.)

3 (410 ILCS 620/3.22) (from Ch. 56 1/2, par. 503.22)

4 Sec. 3.22. (a) Whoever knowingly distributes, or possesses
5 with intent to distribute, human growth hormone for any use in
6 humans other than the treatment of a disease or other
7 recognized medical condition, where the use has been authorized
8 by the Secretary of Health and Human Services and under the
9 order of a physician, is guilty of a Class 3 felony, and may be
10 fined an amount not to exceed \$50,000. As used in this Section,
11 the term "human growth hormone" means somatrem, somatropin, or
12 an analogue of either of them.

13 (b) Whoever distributes, or possesses with intent to
14 distribute, a synthetic drug product or a drug that is
15 misbranded under this Act is guilty of a Class 2 felony and may
16 be fined an amount not to exceed \$100,000. A person convicted
17 of a second or subsequent violation of this Section is guilty
18 of a Class 1 felony, the fine for which shall not exceed
19 \$250,000.

20 (c) Whoever falsely advertises a synthetic drug product or
21 a drug that is misbranded is guilty of a Class 3 felony and may
22 be fined an amount not to exceed \$100,000.

23 (d) Whoever commits any offense set forth in this Section
24 and the offense involves an individual under 18 years of age is
25 punishable by not more than 10 years imprisonment, and twice

1 the fine authorized above. Any conviction for a violation of
2 this Section shall be considered a violation of the Illinois
3 Controlled Substances Act for the purposes of forfeiture under
4 Section 505 of such Act. ~~As used in this Section the term~~
5 ~~"human growth hormone" means somatrem, somatropin, or an~~
6 ~~analogue of either of them. The Department of State Police and~~
7 ~~Department of Professional Regulation are authorized to~~
8 ~~investigate offenses punishable by this Section.~~

9 (e) Any person convicted under this Section is subject to
10 the forfeiture provisions set forth in subsections (c), (d),
11 (e), (f), (g), (h), and (i) of Section 3.23 of this Act.

12 (Source: P.A. 87-754.)

13 (410 ILCS 620/5) (from Ch. 56 1/2, par. 505)

14 Sec. 5. (a) A person who violates any of the provisions of
15 this Act, other than Sections 3.22 and 6, is guilty of a Class
16 C misdemeanor; but if the violation is committed after a
17 conviction of such person under this Section has become final,
18 the person shall be guilty of a Class A misdemeanor. A person
19 who violates the provisions of Section 6 of this Act is guilty
20 of a Class 3 felony ~~A misdemeanor~~; but if the violation is
21 committed after a conviction of such person under this Section
22 has become final, the person shall be guilty of a Class 2 4
23 felony.

24 (b) No person is subject to the penalties of subsection (a)
25 of this Section for (1) violating Section 3.1 or 3.3 if he

1 establishes a guaranty or undertaking signed by and containing
2 the name and address of the person residing in the State of
3 Illinois from whom he received the article in good faith, to
4 the effect that the article is not adulterated ~~or misbranded~~
5 within the meaning of this Act, designating this Act; or (2)
6 for having violated clause (2) of Section 3.16 if such person
7 acted in good faith and had no reason to believe that the use
8 of the punch, die, plate, stone or other thing involved would
9 result in a drug being a counterfeit drug, or for having
10 violated clause (3) of Section 3.16 if the person doing the act
11 or causing it to be done acted in good faith and had no reason
12 to believe that the drug was a counterfeit drug.

13 (c) No publisher, radio-broadcast licensee, agency or
14 medium for the dissemination of an advertisement, except the
15 manufacturer, packer, distributor or seller of the article to
16 which a false advertisement relates is liable under this
17 Section for the dissemination of such false advertisement
18 unless he has refused on the request of the Director to furnish
19 the Director the name and post office address of the
20 manufacturer, packer, distributor, seller or advertising
21 agency residing in the State of Illinois who causes him to
22 disseminate such advertisement.

23 (d) No person shall be subject to the penalties of
24 subsection (a) of this Section for a violation of Section 3
25 involving misbranded food if the violation exists solely
26 because the food is misbranded under subsection (c) of Section

1 11 because of its advertising, and no person shall be subject
2 to the penalties of subsection (a) of this Section for such a
3 violation unless the violation is committed with the intent to
4 defraud or mislead.

5 (Source: P.A. 86-704; 87-754.)

6 (410 ILCS 620/6) (from Ch. 56 1/2, par. 506)

7 Sec. 6. (a) When an authorized agent of the Director finds
8 or has probable cause to believe that any food, drug, device or
9 cosmetic is adulterated or so misbranded as to be dangerous or
10 fraudulent within the meaning of this Act, ~~or~~ is in violation
11 of Section 12, 17 or 17.1 of this Act, or is suspected to be a
12 synthetic drug product, he or she shall affix to such article a
13 tag or other appropriate marking giving notice that the article
14 is or is suspected of being adulterated or misbranded and has
15 been detained or embargoed and warning all persons not to
16 remove or dispose of such article by sale or otherwise until
17 permission for removal or disposal is given by such agent or
18 the court. It is unlawful for any person to remove or dispose
19 of such detained or embargoed article by sale or otherwise
20 without such permission.

21 (b) When an article detained or embargoed under subsection
22 (a) of this Section is found by such agent to be adulterated or
23 misbranded or to be in violation of Section 12, 17 or 17.1 of
24 this Act or is suspected to be a synthetic drug product, he or
25 she shall petition the circuit court in whose jurisdiction the

1 article is detained or embargoed for a libel for condemnation
2 of such article. When such agent finds that an article so
3 detained or embargoed is not adulterated or misbranded or is
4 not a synthetic drug product, he or she shall remove the tag or
5 other marking.

6 (c) If the court finds that a detained or embargoed article
7 is adulterated or misbranded, such article shall, after entry
8 of the judgment, be destroyed at the expense of the claimant
9 thereof, under the supervision of such agent, and all court
10 costs and fees, and storage and other proper expenses, shall be
11 taxed against the claimant of such article or his or her agent.
12 However, when the adulteration or misbranding can be corrected
13 by proper labeling or processing of the article, the court,
14 after entry of the judgment and after such costs, fees and
15 expenses have been paid and a good and sufficient bond,
16 conditioned that such article shall be so labeled or processed,
17 has been executed, may by order direct that such article be
18 delivered to the claimant thereof for such labeling or
19 processing under the supervision of an agent of the Director.
20 The expense of such supervision shall be paid by the claimant.
21 The article shall be returned to the claimant and the bond
22 shall be discharged on the representation to the court by the
23 Director that the article is no longer in violation of this
24 Act, and that the expenses of such supervision have been paid.

25 (d) Whenever the Director or any of his or her authorized
26 agents finds in any room, building, vehicle of transportation

1 or other structure, any meat, sea food, poultry, vegetable,
2 fruit or other perishable articles which contain any filthy,
3 decomposed or putrid substance, or that may be poisonous or
4 deleterious to health or otherwise unsafe, the same being
5 hereby declared to be a nuisance, the Director or his or her
6 authorized agent shall condemn or destroy the same, or in any
7 other manner render the same unusable as human food.

8 (Source: P.A. 85-564.)

9 Section 10. The Illinois Controlled Substances Act is
10 amended by changing Section 204 as follows:

11 (720 ILCS 570/204) (from Ch. 56 1/2, par. 1204)

12 Sec. 204. (a) The controlled substances listed in this
13 Section are included in Schedule I.

14 (b) Unless specifically excepted or unless listed in
15 another schedule, any of the following opiates, including their
16 isomers, esters, ethers, salts, and salts of isomers, esters,
17 and ethers, whenever the existence of such isomers, esters,
18 ethers and salts is possible within the specific chemical
19 designation:

20 (1) Acetylmethadol;

21 (1.1) Acetyl-alpha-methylfentanyl

22 (N-[1-(1-methyl-2-phenethyl)-

23 4-piperidinyl] -N-phenylacetamide);

24 (2) Allylprodine;

- 1 (3) Alphacetylmethadol, except
- 2 levo-alphacetylmethadol (also known as levo-alpha-
- 3 acetylmethadol, levomethadyl acetate, or LAAM);
- 4 (4) Alphameprodine;
- 5 (5) Alphamethadol;
- 6 (6) Alpha-methylfentanyl
- 7 (N-(1-alpha-methyl-beta-phenyl) ethyl-4-piperidyl)
- 8 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-
- 9 propanilido) piperidine;
- 10 (6.1) Alpha-methylthiofentanyl
- 11 (N-[1-methyl-2-(2-thienyl)ethyl-
- 12 4-piperidinyl]-N-phenylpropanamide);
- 13 (7) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP);
- 14 (7.1) PEPAP
- 15 (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 16 (8) Benzethidine;
- 17 (9) Betacetylmethadol;
- 18 (9.1) Beta-hydroxyfentanyl
- 19 (N-[1-(2-hydroxy-2-phenethyl)-
- 20 4-piperidinyl]-N-phenylpropanamide);
- 21 (10) Betameprodine;
- 22 (11) Betamethadol;
- 23 (12) Betaprodine;
- 24 (13) Clonitazene;
- 25 (14) Dextromoramide;
- 26 (15) Diampromide;

- 1 (16) Diethylthiambutene;
- 2 (17) Difenoquin;
- 3 (18) Dimenoxadol;
- 4 (19) Dimepseptanol;
- 5 (20) Dimethylthiambutene;
- 6 (21) Dioxaphetylbutyrate;
- 7 (22) Dipipanone;
- 8 (23) Ethylmethylthiambutene;
- 9 (24) Etonitazene;
- 10 (25) Etoxadoline;
- 11 (26) Furethidine;
- 12 (27) Hydroxypethidine;
- 13 (28) Ketobemidone;
- 14 (29) Levomoramide;
- 15 (30) Levophenacetylmorphan;
- 16 (31) 3-Methylfentanyl
17 (N-[3-methyl-1-(2-phenylethyl)-
18 4-piperidyl] -N-phenylpropanamide);
- 19 (31.1) 3-Methylthiofentanyl
20 (N-[(3-methyl-1-(2-thienyl)ethyl-
21 4-piperidinyl] -N-phenylpropanamide);
- 22 (32) Morpheridine;
- 23 (33) Noracymethadol;
- 24 (34) Norlevorphanol;
- 25 (35) Normethadone;
- 26 (36) Norpipanone;

- 1 (36.1) Para-fluorofentanyl
2 (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-
3 4-piperidinyl]propanamide);
4 (37) Phenadoxone;
5 (38) Phenampromide;
6 (39) Phenomorphan;
7 (40) Phenoperidine;
8 (41) Piritramide;
9 (42) Proheptazine;
10 (43) Properidine;
11 (44) Propiram;
12 (45) Racemoramide;
13 (45.1) Thiofentanyl
14 (N-phenyl-N-[1-(2-thienyl)ethyl-
15 4-piperidinyl]-propanamide);
16 (46) Tilidine;
17 (47) Trimeperidine;
18 (48) Beta-hydroxy-3-methylfentanyl (other name:
19 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-
20 N-phenylpropanamide).

21 (c) Unless specifically excepted or unless listed in
22 another schedule, any of the following opium derivatives, its
23 salts, isomers and salts of isomers, whenever the existence of
24 such salts, isomers and salts of isomers is possible within the
25 specific chemical designation:

- 26 (1) Acetorphine;

- 1 (2) Acetyldihydrocodeine;
- 2 (3) Benzylmorphine;
- 3 (4) Codeine methylbromide;
- 4 (5) Codeine-N-Oxide;
- 5 (6) Cyprenorphine;
- 6 (7) Desomorphine;
- 7 (8) Diacetyldihydromorphine (Dihydroheroin);
- 8 (9) Dihydromorphine;
- 9 (10) Drotebanol;
- 10 (11) Etorphine (except hydrochloride salt);
- 11 (12) Heroin;
- 12 (13) Hydromorphenol;
- 13 (14) Methyldesorphine;
- 14 (15) Methyldihydromorphine;
- 15 (16) Morphine methylbromide;
- 16 (17) Morphine methylsulfonate;
- 17 (18) Morphine-N-Oxide;
- 18 (19) Myrophine;
- 19 (20) Nicocodeine;
- 20 (21) Nicomorphine;
- 21 (22) Normorphine;
- 22 (23) Pholcodine;
- 23 (24) Thebacon.

24 (d) Unless specifically excepted or unless listed in
25 another schedule, any material, compound, mixture, or
26 preparation which contains any quantity of the following

1 hallucinogenic substances, or which contains any of its salts,
2 isomers and salts of isomers, whenever the existence of such
3 salts, isomers, and salts of isomers is possible within the
4 specific chemical designation (for the purposes of this
5 paragraph only, the term "isomer" includes the optical,
6 position and geometric isomers):

7 (1) 3,4-methylenedioxyamphetamine

8 (alpha-methyl,3,4-methylenedioxyphenethylamine,
9 methylenedioxyamphetamine, MDA);

10 (1.1) Alpha-ethyltryptamine

11 (some trade or other names: etryptamine;
12 MONASE; alpha-ethyl-1H-indole-3-ethanamine;
13 3-(2-aminobutyl)indole; a-ET; and AET);

14 (2) 3,4-methylenedioxymethamphetamine (MDMA);

15 (2.1) 3,4-methylenedioxy-N-ethylamphetamine

16 (also known as: N-ethyl-alpha-methyl-
17 3,4(methylenedioxy) Phenethylamine, N-ethyl MDA, MDE,
18 and MDEA);

19 (2.2) N-Benzylpiperazine (BZP);

20 (3) 3-methoxy-4,5-methylenedioxyamphetamine, (MMDA);

21 (4) 3,4,5-trimethoxyamphetamine (TMA);

22 (5) (Blank);

23 (6) Diethyltryptamine (DET);

24 (7) Dimethyltryptamine (DMT);

25 (8) 4-methyl-2,5-dimethoxyamphetamine (DOM, STP);

26 (9) Ibogaine (some trade and other names:

1 7-ethyl-6,6,beta,7,8,9,10,12,13-octahydro-2-methoxy-
2 6,9-methano-5H-pyrido [1',2':1,2] azepino [5,4-b]
3 indole; Tabernanthe iboga);

4 (10) Lysergic acid diethylamide;

5 (10.1) Salvinorin A;

6 (10.5) Salvia divinorum (meaning all parts of the plant
7 presently classified botanically as Salvia divinorum,
8 whether growing or not, the seeds thereof, any extract from
9 any part of that plant, and every compound, manufacture,
10 salts, isomers, and salts of isomers whenever the existence
11 of such salts, isomers, and salts of isomers is possible
12 within the specific chemical designation, derivative,
13 mixture, or preparation of that plant, its seeds or
14 extracts);

15 (11) 3,4,5-trimethoxyphenethylamine (Mescaline);

16 (12) Peyote (meaning all parts of the plant presently
17 classified botanically as Lophophora williamsii Lemaire,
18 whether growing or not, the seeds thereof, any extract from
19 any part of that plant, and every compound, manufacture,
20 salts, derivative, mixture, or preparation of that plant,
21 its seeds or extracts);

22 (13) N-ethyl-3-piperidyl benzilate (JB 318);

23 (14) N-methyl-3-piperidyl benzilate;

24 (14.1) N-hydroxy-3,4-methylenedioxyamphetamine
25 (also known as N-hydroxy-alpha-methyl-
26 3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);

- 1 (15) Parahexyl; some trade or other names:
2 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-
3 dibenzo (b,d) pyran; Synhexyl;
- 4 (16) Psilocybin;
- 5 (17) Psilocyn;
- 6 (18) Alpha-methyltryptamine (AMT);
- 7 (19) 2,5-dimethoxyamphetamine
8 (2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);
- 9 (20) 4-bromo-2,5-dimethoxyamphetamine
10 (4-bromo-2,5-dimethoxy-alpha-methylphenethylamine;
11 4-bromo-2,5-DMA);
- 12 (20.1) 4-Bromo-2,5 dimethoxyphenethylamine.
13 Some trade or other names: 2-(4-bromo-
14 2,5-dimethoxyphenyl)-1-aminoethane;
15 alpha-desmethyl DOB, 2CB, Nexus;
- 16 (21) 4-methoxyamphetamine
17 (4-methoxy-alpha-methylphenethylamine;
18 paramethoxyamphetamine; PMA);
- 19 (22) (Blank);
- 20 (23) Ethylamine analog of phencyclidine.
21 Some trade or other names:
22 N-ethyl-1-phenylcyclohexylamine,
23 (1-phenylcyclohexyl) ethylamine,
24 N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;
- 25 (24) Pyrrolidine analog of phencyclidine. Some trade
26 or other names: 1-(1-phenylcyclohexyl) pyrrolidine, PCPy,

1 PHP;

2 (25) 5-methoxy-3,4-methylenedioxy-amphetamine;

3 (26) 2,5-dimethoxy-4-ethylamphetamine

4 (another name: DOET);

5 (27) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine

6 (another name: TCPy);

7 (28) (Blank);

8 (29) Thiophene analog of phencyclidine (some trade

9 or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine;

10 2-thienyl analog of phencyclidine; TCP; TCP);

11 (30) Bufotenine (some trade or other names:

12 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole;

13 3-(2-dimethylaminoethyl)-5-indolol;

14 5-hydroxy-N,N-dimethyltryptamine;

15 N,N-dimethylserotonin; mappine);

16 (31) 1-Pentyl-3-(1-naphthoyl)indole

17 Some trade or other names: JWH-018;

18 (32) 1-Butyl-3-(1-naphthoyl)indole

19 Some trade or other names: JWH-073;

20 (33) 1-[(5-fluoropentyl)-1H-indol-3-yl] -

21 (2-iodophenyl)methanone

22 Some trade or other names: AM-694;

23 (34) 2-[(1R,3S)-3-hydroxycyclohexyl] -5-

24 (2-methyloctan-2-yl)phenol

25 Some trade or other names: CP 47,497 ~~47,497~~

26 and its C6, C8 and C9 homologs;

1 (34.5) ~~(33)~~ 2-[(1R,3S)-3-hydroxycyclohexyl]-5-
2 (2-methyloctan-2-yl)phenol), where side chain n=5;
3 and homologues where side chain n=4, 6, or 7; Some
4 trade or other names: CP 47,497;

5 (35) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
6 (2-methyloctan-2-yl)-6a,7,
7 10,10a-tetrahydrobenzo[c] chromen-1-ol
8 Some trade or other names: HU-210;

9 (35.5) ~~(34)~~ (6aS,10aS)-9-(hydroxymethyl)-6,6-
10 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
11 tetrahydrobenzo[c] chromen-1-ol, its isomers,
12 salts, and salts of isomers; Some trade or other
13 names: HU-210, Dexanabinol;

14 (36) Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-
15 6,6-dimethyl-3-(2-methyloctan-2-yl)-
16 6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol
17 Some trade or other names: HU-211;

18 (37) (2-methyl-1-propyl-1H-indol-
19 3-yl)-1-naphthalenyl-methanone
20 Some trade or other names: JWH-015;

21 (38) 4-methoxynaphthalen-1-yl-
22 (1-pentylindol-3-yl)methanone
23 Some trade or other names: JWH-081;

24 (39) ~~1~~-Pentyl-3-(4-methyl-1-naphthoyl)indole
25 Some trade or other names: JWH-122;

26 (40) 2-(2-methylphenyl)-1-(1-pentyl-

1 1H-indol-3-yl)-ethanone

2 Some trade or other names: JWH-251;

3 (41) 1-(2-cyclohexylethyl)-3-

4 (2-methoxyphenylacetyl)indole

5 Some trade or other names: RCS-8, BTW-8 and SR-18;~~;~~

6 (42) ~~(33)~~ Any compound structurally derived from

7 3-(1-naphthoyl)indole or 1H-indol-3-yl-

8 (1-naphthyl)methane by substitution at the

9 nitrogen atom of the indole ring by alkyl, haloalkyl,

10 alkenyl, cycloalkylmethyl, cycloalkylethyl or

11 2-(4-morpholinyl)ethyl whether or not further

12 substituted in the indole ring to any extent, whether

13 or not substituted in the naphthyl ring to any extent;

14 (43) ~~(34)~~ Any compound structurally derived from

15 3-(1-naphthoyl)pyrrole by substitution at the nitrogen

16 atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,

17 cycloalkylmethyl, cycloalkylethyl or

18 2-(4-morpholinyl)ethyl, whether or not further

19 substituted in the pyrrole ring to any extent, whether

20 or not substituted in the naphthyl ring to any extent;

21 (44) ~~(35)~~ Any compound structurally derived from

22 1-(1-naphthylmethyl)indene by substitution

23 at the 3-position of the indene ring by alkyl, haloalkyl,

24 alkenyl, cycloalkylmethyl, cycloalkylethyl or

25 2-(4-morpholinyl)ethyl whether or not further

26 substituted in the indene ring to any extent, whether

1 or not substituted in the naphthyl ring to any extent;

2 (45) ~~(36)~~ Any compound structurally derived from
3 3-phenylacetylindole by substitution at the
4 nitrogen atom of the indole ring with alkyl, haloalkyl,
5 alkenyl, cycloalkylmethyl, cycloalkylethyl or
6 2-(4-morpholinyl)ethyl, whether or not further
7 substituted in the indole ring to any extent, whether
8 or not substituted in the phenyl ring to any extent;

9 (46) ~~(37)~~ Any compound structurally derived from
10 2-(3-hydroxycyclohexyl)phenol by substitution
11 at the 5-position of the phenolic ring by alkyl,
12 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl
13 or 2-(4-morpholinyl)ethyl, whether or not substituted
14 in the cyclohexyl ring to any extent;:-

15 (47) ~~(33)~~ 3,4-Methylenedioxymethcathinone
16 Some trade or other names: Methylone;

17 (48) ~~(34)~~ 3,4-Methyenedioxypyrovalerone
18 Some trade or other names: MDPV;

19 (49) ~~(35)~~ 4-Methylmethcathinone
20 Some trade or other names: Mephedrone;

21 (50) ~~(36)~~ 4-methoxymethcathinone;

22 (51) ~~(37)~~ 4-Fluoromethcathinone;

23 (52) ~~(38)~~ 3-Fluoromethcathinone;:-

24 (53) ~~(35)~~ 2,5-Dimethoxy-4-(n)-propylthio-
25 phenethylamine;

26 (54) ~~(36)~~ 5-Methoxy-N,N-diisopropyltryptamine;:-

1 (55) Pentedrone.

2 (e) Unless specifically excepted or unless listed in
3 another schedule, any material, compound, mixture, or
4 preparation which contains any quantity of the following
5 substances having a depressant effect on the central nervous
6 system, including its salts, isomers, and salts of isomers
7 whenever the existence of such salts, isomers, and salts of
8 isomers is possible within the specific chemical designation:

9 (1) mecloqualone;

10 (2) methaqualone; and

11 (3) gamma hydroxybutyric acid.

12 (f) Unless specifically excepted or unless listed in
13 another schedule, any material, compound, mixture, or
14 preparation which contains any quantity of the following
15 substances having a stimulant effect on the central nervous
16 system, including its salts, isomers, and salts of isomers:

17 (1) Fenethylamine;

18 (2) N-ethylamphetamine;

19 (3) Aminorex (some other names:

20 2-amino-5-phenyl-2-oxazoline; aminoxaphen;

21 4-5-dihydro-5-phenyl-2-oxazolamine) and its

22 salts, optical isomers, and salts of optical isomers;

23 (4) Methcathinone (some other names:

24 2-methylamino-1-phenylpropan-1-one;

25 Ephedrone; 2-(methylamino)-propionophenone;

26 alpha-(methylamino)propionophenone; N-methylcathinone;

1 methycathinone; Monomethylpropion; UR 1431) and its
2 salts, optical isomers, and salts of optical isomers;

3 (5) Cathinone (some trade or other names:
4 2-aminopropiophenone; alpha-aminopropiophenone;
5 2-amino-1-phenyl-propanone; norephedrone);

6 (6) N,N-dimethylamphetamine (also known as:
7 N,N-alpha-trimethyl-benzeneethanamine;
8 N,N-alpha-trimethylphenethylamine);

9 (7) (+ or -) cis-4-methylaminorex ((+ or -) cis-
10 4,5-dihydro-4-methyl-4-5-phenyl-2-oxazolamine);

11 (8) 3,4-Methylenedioxypropylamphetamine (MDPV).

12 (g) Temporary listing of substances subject to emergency
13 scheduling. Any material, compound, mixture, or preparation
14 that contains any quantity of the following substances:

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

18 (2) N-[1-(2-thienyl)
19 methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl),
20 its optical isomers, salts, and salts of isomers.

21 (Source: P.A. 96-347, eff. 1-1-10; 96-1285, eff. 1-1-11;
22 97-192, eff. 7-22-11; 97-193, eff. 1-1-12; 97-194, eff.
23 7-22-11; 97-334, eff. 1-1-12; revised 9-14-11.)