

◆ ◆ ◆
Department of State Health Services

Amendment to the Schedules of Controlled Substances

This amendment to the Schedules of Controlled Substances was signed by the Commissioner of the Department of State Health Services on May 6, 2014, and will become effective 21 days following publication of this notice in the *Texas Register*.

The Deputy Administrator of the Drug Enforcement Administration (DEA) issued a final order placing Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-dihydropyridin-3-yl)benzotriazole] including its salts, isomers, and salts of isomers, into Schedule III of the United States Controlled Substances Act (CSA) effective January 2, 2014. This final order was published in the *Federal Register*, Volume 78, Number 231, pages 72013-72016. The Deputy Administrator has taken action based on the following.

1. Perampanel has a potential for abuse less than the drugs or other substances in Schedule I and II;
2. Perampanel has a currently accepted medical use in treatment in the United States. Perampanel was approved for marketing by the Food and Drug Administration as an adjunctive treatment of partial-onset seizures with or without secondarily generalized seizures in patients with epilepsy aged 12 years and older; and
3. Abuse of perampanel may lead to moderate or low physical dependence or high psychological dependence.

The Deputy Administrator of the DEA issued a final order to temporarily place four synthetic cannabinoids into Schedule I of the CSA pursuant to the temporary scheduling provisions of the CSA, effective February 10, 2014. This final order was published in the *Federal Register*, Volume 79, Number 27, pages 7577-7582. The substances are: Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC); quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22); N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA); and N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA), and their optical, positional, and geometric isomers, salts and salts of isomers. The Deputy Administrator of the DEA has taken this action based on findings that the placement of these synthetic cannabinoids and their salts, isomers and salts of isomers into Schedule I of the CSA is necessary to avoid an imminent hazard to the public safety.

The Deputy Administrator of the DEA issued a final order to temporarily place ten synthetic cathinones into schedule I of the CSA pursuant to the temporary scheduling provisions of the CSA, effective March 7, 2014. This final order was published in the *Federal Register*, Volume 79, Number 45, pages 12938-12943. The ten substances are: 4-methyl-N-ethylcathinone ("4-MEC"); 4-methyl-alpha-pyrrolidinopropiophenone ("4-MePPP"); alpha-pyrrolidinopentiophenone ("alpha-PVP"); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one ("butylone"); 2-(methylamino)-1-phenylpentan-1-one ("pentedrone"); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one ("pentylone"); 4-fluoro-N-methylcathinone ("4-FMC"); 3-fluoro-N-methylcathinone ("3-FMC"); 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one ("naphyrone"); and alpha-pyrrolidinobutiophenone ("alpha-PBP"). This action is based on a finding by the Deputy Administrator that the placement of these synthetic cathinones and their

optical, positional, and geometric isomers, salts and salts of isomers into schedule I of the CSA is necessary to avoid an imminent hazard to the public safety.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at least thirty-one days have expired since notice of the above referenced actions were published in the *Federal Register*; and, in the capacity as Commissioner of the Texas Department of State Health Services, David L. Lakey, M.D. hereby orders that the substance Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-dihydropyridin-3-yl)benzotriazole] be placed into Schedule III, and the substances Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC); quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22); N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA); and N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA), and their optical, positional, and geometric isomers, salts and salts of isomers, 4-methyl-N-ethylcathinone ("4-MEC"); 4-methyl-alpha-pyrrolidinopropiophenone ("4-MePPP"); alpha-pyrrolidinopentiophenone ("alpha-PVP"); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one ("butylone"); 2-(methylamino)-1-phenylpentan-1-one ("pentedrone"); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one ("pentylone"); 4-fluoro-N-methylcathinone ("4-FMC"); 3-fluoro-N-methylcathinone ("3-FMC"); 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one ("naphyrone"); and alpha-pyrrolidinobutiophenone ("alpha-PBP" be placed into Schedule I temporarily scheduled substances.

SCHEDULE I

Schedule I consists of:

Schedule I opiates

Schedule I opium derivatives

Schedule I hallucinogenic substances

Schedule I stimulants

Schedule I depressants

Schedule I Cannabimimetic agents

Schedule I temporarily listed substances subject to emergency scheduling by the United States Drug Enforcement Administration.

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances or that contains any of the substance's salts, isomers, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation.

1. (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144 and 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole);
2. [1-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144 and 5-F-UR-144 and XLR11 and 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole);

3. N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide (Other names: APINACA, AKB48);
4. 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5);
5. 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82); and
6. 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36).
- *7. Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: PB-22; QUPIC);
- *8. Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5-fluoro-PB-22; 5F-PB-22);
- *9. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: AB-FUBINACA);
- *10. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: ADB-PINACA);
- *11. 4-methyl-N-ethylcathinone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one);
- *12. 4-methyl-alpha-pyrrolidinopropiophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 4-MePPP; MePPP; 4-methyl-[alpha]-pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)propan-1-one);
- *13. alpha-pyrrolidinopentiophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: [alpha]-PVP; [alpha]-pyrrolidinovalerophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one);
- *14. Butylone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one);
- *15. Pentadron, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: [alpha]-methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one);
- *16. Pentylone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one);
- *17. 4-fluoro-N-methylcathinone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 4-FMC; flephedrone; 1-(4-fluorophenyl)-2-(methylamino)propan-1-one);
- *18. 3-fluoro-N-methylcathinone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 3-FMC; 1-(3-fluorophenyl)-2-(methylamino)propan-1-one);
- *19. Naphyrone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one); and
- *20. alpha-pyrrolidinobutiophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: [alpha]-PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one).

SCHEDULE III

Schedule III consists of:

Schedule III depressants

Unless listed in another schedule and except as provided by the Texas Controlled Substances Act, Health and Safety Code, Section 481.033, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

- (1) a compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any of their salts and one or more active medicinal ingredients that are not listed in a schedule;
- (2) a suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any of their salts and approved by the Food and Drug Administration for marketing only as a suppository;
- (3) a substance that contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances that are specifically listed in other schedules;
- (4) Chlorhexadol;
- (5) 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;
- (6) Ketamine, its salts, isomers, and salts of isomers. Some other names for ketamine: (\pm)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
- (7) Lysergic acid;
- (8) Lysergic acid amide;
- (9) Methyprylon;
- * (10) Perampanel, and its salts, isomers, and salts of isomers;
- (11) Sulfondiethylmethane;
- (12) Sulfonethylmethane;
- (13) Sulfonmethane; and
- (14) Tiletamine and zolazepam or any salt thereof. Some trade or other names for a tiletamine zolazepam combination product: Telazol. Some trade or other names for tiletamine: 2 (ethylamino) 2 (2-thienyl) cyclohexanone. Some trade or other names for zolazepam: 4 (2-fluorophenyl) 6,8-dihydro 1,3,8-trimethyl-pyrazolo [3,4 e][1,4] diazepin-7(1H) one, flupyrazapon.

Nalorphine

Schedule III narcotics

Schedule III stimulants

Schedule III anabolic steroids and hormones

Schedule III hallucinogenic substances

Changes to the schedules are designated by a single asterisk (*)

TRD-201402167