Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: May 9, 2017

♦ ♦ ♦

Department of State Health Services

Amendment to the Texas Schedules of Controlled Substances

This amendment to the Texas Schedules of Controlled Substances was signed by the Commissioner of the Department of State Health Services, and will take effect 21 days following publication of this notice in the *Texas Register*.

The Administrator of the Drug Enforcement Administration (DEA) issued a final order placing Marihuana Extract, meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus Cannabis, other than the separated resin (whether crude or purified) obtained from the plant) into Schedule I pursuant to the scheduling provisions of the of the United States Controlled Substances Act (CSA) effective January 13, 2017. This final order was published in the Federal Register, Volume 81, Number 240, pages 90194-90196. The Administrator has taken action based on the following.

The amendment will enable the DEA to better track these materials and comply with international drug control treaties, administered by the United Nations.

The Administrator of the Drug Enforcement Administration (DEA) issued a temporary order extending the temporary placement of THJ-2201, AB-PINACA and AB-CHMINACA in Schedule I pursuant to the scheduling provisions of the of the United States Controlled Substances Act (CSA) . The temporary order will expire on January 20, 2018 or when a permanent scheduling proceeding is complete, whichever occurs first. The temporary order was published in the Federal Register, Volume 82, Number 17, pages 8590-8592.

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. In the capacity as Commissioner of the Texas Department of State Health Services, John Hellerstedt, M.D., does hereby order that the substance Marihuana Extract, meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus Cannabis, other than the separated resin (whether crude or purified) obtained from the plant) into schedule I. Additionally, an extension of the temporary scheduling of substances THJ-2201, AB-PINACA and AB-CHMINACA into Schedule I is hereby ordered.

SCHEDULES

Nomenclature: Controlled substances listed in these schedules are included by whatever official, common, usual, chemical, or trade name they may be designated.

SCHEDULE I

Schedule I consists of:

-Schedule I opiates

***

-Schedule I opium derivatives

***

-Schedule I hallucinogenic substances

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic 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 (for the purposes of this Schedule I hallucinogenic substances section only, the term "isomer" includes optical, position, and geometric isomers):

(1) Alpha-ethyltryptamine (some trade or other names: etryptamine; Monase; alpha ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; alpha-ET; AET);

(2) alpha-methyltryptamine (AMT), its isomers, salts, and salts of isomers;

(3) 4 bromo 2,5 dimethoxyamphetamine (some trade or other names: 4 bromo-2,5 dimethoxy alpha methylphenethylamine; 4 bromo 2,5 DMA);

(4) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: Nexus; 2C-B; 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB);

(5) 2,5 dimethoxyamphetamine (some trade or other names: 2,5 dimethoxy alpha methylphenethylamine; 2,5 DMA);

(6) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);

(7) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts and salts of isomers;

(8) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts, and salts of isomers;

(9) 5 methoxy 3,4 methylenedioxy-amphetamine;

(10) 4 methoxyamphetamine (some trade or other names: 4 methoxy alpha methylphenethylamine; paramethoxyamphetamine; PMA);

(11) 1 methyl 4 phenyl 1,2,5,6 tetrahydro pyridine (MPTP);

(12) 4 methyl 2,5 dimethoxyamphetamine (some trade and other names: 4 methyl 2,5 dimethoxy alpha methyl phenethylamine; "DOM"; and "STP");

(13) 3,4 methylenedioxy-amphetamine;

(14) 3,4 methylenedioxy-methamphetamine (MDMA, MDM);

(15) 3,4 methylenedioxy-N ethylamphetamine (some trade or other names: N ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine; N-ethyl MDA; MDE; MDEA);

(16) 3,4,5 trimethoxy amphetamine;

(17) N hydroxy 3,4 methylenedioxyamphetamine (Also known as N hydroxy MDA);

(18) 5-methoxy-N,N-dimethyltryptamine (Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT;

(19) Bufotenine (some trade and other names: 3-(beta-Dimethylaminoethyl) 5 hydroxyindole; 3 (2 dimethylaminoethyl) 5 indolol; N,N dimethylserotonin; 5 hydroxy N,N dimethyltryptamine; mappine);

(20) Diethyltryptamine (some trade and other names: ,N Diethyltryptamine; DET);

(21) Dimethyltryptamine (some trade and other names: DMT);

(22) Ethylamine Analog of Phencyclidine (some trade or other names: N ethyl 1 phenylcyclohexylamine; (1 phenylcyclohexyl) ethylamine; N (1 phenylcyclohexyl)-ethylamine; cyclohexamine; PCE);

(23) Ibogaine (some trade or other names: 7 Ethyl 6,6-beta, 7,8,9,10,12,13 octhydro 2 methoxy 6,9 methano-5H-pyrido[1',2':1,2] azepino [5,4 b] indole; taber-nanthe iboga);

(24) Lysergic acid diethylamide;

(25) Marihuana;

(26) Mescaline;

(27) N ethyl 3 piperidyl benzilate;

(28) N methyl 3 piperidyl benzilate;

(29) Parahexyl (some trade or other names: 3 Hexyl 1 hydroxy 7,8,9,10 tetrahydro 6,6,9 trimethyl 6H dibenzo [b,d] pyran; Synhexyl);

(30) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as *Lophophora,* whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;

(31) Psilocybin;

(32) Psilocin;

(33) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1 phenyl- cyclohexyl)-pyrrolidine, PCPy, PHP);

(34) Tetrahydrocannabinols;

meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

1 cis or trans tetrahydrocannabinol, and their optical isomers;

6 cis or trans tetrahydrocannabinol, and their optical isomers;

3,4 cis or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.);

(35) Thiophene analog of phencyclidine (some trade or other names: 1 [1 (2 thienyl)cyclohexyl] piperidine; 2 thienyl analog of phencyclidine; TPCP);

(36) 1 [1 (2 thienyl)cyclohexyl]pyrrolidine (some trade or other names: TCPy);

(37) 4-methylmethcathinone (Other names: 4-methyl-N-methylcathinone; mephedrone);

(38) 3,4-methylenedioxypyrovalerone (MDPV);

(39) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (Other names: 2C-E);

(40) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (Other names: 2C-D);

(41) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (Other names: 2C-C);

(42) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (Other names: 2C-I);

(43) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (Other names: 2C-T-2);

(44) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (Other names: 2C-T-4);

(45) 2-(2,5-Dimethoxyphenyl)ethanamine (Other names:2C-H);

(46) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (Other names: 2C-N);

(47) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (Other names: 2C-P);

(48) 3,4-Methylenedioxy-N-methylcathinone (Other name: Methylone);

(49) (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144 and 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole);

(50) [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-flouro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole);

(51) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide (Other names: APINACA, AKB48).

(52) 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);

(53) 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);

(54) 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);

(55) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA);

(56) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe; 2CI-NBOMe; 25I; Cimbi-5);

(57) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82);

(58) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36); and,

*(59) Marihuana Extract

Meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus Cannabis, other than the separated resin (whether crude or purified) obtained from the plant.

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) 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);

(2) 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);

(3) 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);

(4) 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);

(5) Pentedrone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: [alpha]-methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one);

(6) 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);

(7) 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);

(8) 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);

(9) 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,

(10) alpha-pyrrolidinobutiophenone, its optical, positional, and geometric isomers, salts and salts of somers (Other names: [alpha]-PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one).

*(11) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (Other names: "AB-CHMINACA");

*(12) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (Other names: "AB-PINACA"); and

*(13) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone (Other names: "THJ-2201").

(14) N-(1-phenethylpiperindin-4-yl)-N-phenylacetamide (Other names: acetyl fentanyl)

(15) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (common names: MAB-CHMINACA and ADB-CHMINACA)

(16) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide (Other name: butyryl fentanyl);

(17) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylproprionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidnyl]-N-phenylpropanamide (Other name: beta-hydroxythiofentanyl); and,

(18) 3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (Other name: U47700); and

(19) N-(1-phenethylpiperdin-4-yl)-N-phenylfuran-2-carboxamide (Other name: Furanyl fentanyl)

Changes to the schedules are designated by an asterisk (*).

TRD-201701790
Lisa Hernandez
General Counsel
Department of State Health Services
Filed: May 3, 2017

♦ ♦ ♦

Licensing Actions for Radioactive Materials