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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **3595**

02/17/2022 Authored by Edelson, Robbins and Christensen
The bill was read for the first time and referred to the Committee on Health Finance and Policy
03/21/2022 Adoption of Report: Amended and re-referred to the Committee on Commerce Finance and Policy
03/30/2022 Adoption of Report: Amended and re-referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; providing for the regulation of certain products containing
1.3 cannabinoids; limiting the sale of products containing cannabinoids to individuals
1.4 21 years of age or older; requiring labeling of cannabinoid products to contain a
1.5 barcode or matrix barcode; providing additional requirements for edible cannabinoid
1.6 products; modifying definition of food; establishing that products containing
1.7 cannabinoids that meet the regulation requirements are not controlled substances;
1.8 amending Minnesota Statutes 2020, sections 34A.01, subdivision 4; 151.72,
1.9 subdivisions 1, 2, 3, 4, 6, by adding a subdivision; 152.02, subdivision 2; Minnesota
1.10 Statutes 2021 Supplement, section 151.72, subdivision 5.

1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.12 **ARTICLE 1**
1.13 **REGULATION OF PRODUCTS CONTAINING CANNABINOIDS**

1.14 Section 1. Minnesota Statutes 2020, section 151.72, subdivision 1, is amended to read:

1.15 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
1.16 the meanings given.

1.17 (b) "Certified hemp" means hemp plants that have been tested and found to meet the
1.18 requirements of chapter 18K and the rules adopted thereunder.

1.19 (c) "Edible cannabinoid product" means any product that is intended to be eaten or
1.20 consumed as a beverage by humans, contains a cannabinoid in combination with food
1.21 ingredients, and is not a drug.

1.22 ~~(b)~~ (d) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision
1.23 3.

1.24 (e) "Label" has the meaning given in section 151.01, subdivision 18.

2.1 ~~(e)~~ (f) "Labeling" means all labels and other written, printed, or graphic matter that are:

2.2 (1) affixed to the immediate container in which a product regulated under this section
2.3 is sold; ~~or~~

2.4 (2) provided, in any manner, with the immediate container, including but not limited to
2.5 outer containers, wrappers, package inserts, brochures, or pamphlets; or

2.6 (3) provided on that portion of a manufacturer's website that is linked by a scannable
2.7 barcode or matrix barcode.

2.8 (g) "Matrix barcode" means a code that stores data in a two-dimensional array of
2.9 geometrically shaped dark and light cells capable of being read by the camera on a
2.10 smartphone or other mobile device.

2.11 (h) "Nonintoxicating cannabinoid" means substances extracted from certified hemp
2.12 plants that do not produce intoxicating effects when consumed by any route of administration.

2.13 Sec. 2. Minnesota Statutes 2020, section 151.72, subdivision 2, is amended to read:

2.14 Subd. 2. **Scope.** (a) This section applies to the sale of any product that contains
2.15 ~~nonintoxicating~~ cannabinoids extracted from hemp ~~other than food~~ and that is an edible
2.16 cannabinoid product or is intended for human or animal consumption by any route of
2.17 administration.

2.18 (b) This section does not apply to any product dispensed by a registered medical cannabis
2.19 manufacturer pursuant to sections 152.22 to 152.37.

2.20 (c) The board must have no authority over food products, as defined in section 34A.01,
2.21 subdivision 4, that do not contain cannabinoids extracted or derived from hemp.

2.22 Sec. 3. Minnesota Statutes 2020, section 151.72, subdivision 3, is amended to read:

2.23 Subd. 3. **Sale of cannabinoids derived from hemp.** (a) Notwithstanding any other
2.24 section of this chapter, a product containing nonintoxicating cannabinoids, including an
2.25 edible cannabinoid product, may be sold for human or animal consumption only if all of
2.26 the requirements of this section are met, provided that a product sold for human or animal
2.27 consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an
2.28 edible cannabinoid product does not contain an amount of any tetrahydrocannabinol that
2.29 exceeds the limits established in subdivision 5a, paragraph (f).

2.30 (b) No other substance extracted or otherwise derived from hemp may be sold for human
2.31 consumption if the substance is intended:

3.1 (1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention
3.2 of disease in humans or other animals; or

3.3 (2) to affect the structure or any function of the bodies of humans or other animals.

3.4 (c) No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwise
3.5 derived from hemp may be sold to any individual who is under the age of 21.

3.6 (d) Products that meet the requirements of this section are not controlled substances
3.7 under section 152.02.

3.8 Sec. 4. Minnesota Statutes 2020, section 151.72, subdivision 4, is amended to read:

3.9 Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this
3.10 section must submit representative samples of the product to an independent, accredited
3.11 laboratory in order to certify that the product complies with the standards adopted by the
3.12 board. Testing must be consistent with generally accepted industry standards for herbal and
3.13 botanical substances, and, at a minimum, the testing must confirm that the product:

3.14 (1) contains the amount or percentage of cannabinoids that is stated on the label of the
3.15 product;

3.16 (2) does not contain more than trace amounts of any mold, residual solvents, pesticides,
3.17 fertilizers, or heavy metals; and

3.18 (3) does not contain a ~~delta-9 tetrahydrocannabinol concentration that exceeds the~~
3.19 ~~concentration permitted for industrial hemp as defined in section 18K.02, subdivision 3~~
3.20 more than 0.3 percent of any tetrahydrocannabinol.

3.21 (b) Upon the request of the board, the manufacturer of the product must provide the
3.22 board with the results of the testing required in this section.

3.23 (c) Testing of the hemp from which the nonintoxicating cannabinoid was derived, or
3.24 possession of a certificate of analysis for such hemp, does not meet the testing requirements
3.25 of this section.

3.26 Sec. 5. Minnesota Statutes 2021 Supplement, section 151.72, subdivision 5, is amended
3.27 to read:

3.28 Subd. 5. **Labeling requirements.** (a) A product regulated under this section must bear
3.29 a label that contains, at a minimum:

3.30 (1) the name, location, contact phone number, and website of the manufacturer of the
3.31 product;

4.1 (2) the name and address of the independent, accredited laboratory used by the
4.2 manufacturer to test the product; and

4.3 (3) an accurate statement of the amount or percentage of cannabinoids found in each
4.4 unit of the product meant to be consumed; ~~or.~~

4.5 ~~(4) instead of the information required in clauses (1) to (3), a scannable bar code or QR~~
4.6 ~~code that links to the manufacturer's website.~~

4.7 (b) The information in paragraph (a) may be provided on an outer package if the
4.8 immediate container that holds the product is too small to contain all of the information.

4.9 (c) The information required in paragraph (a) may be provided through the use of a
4.10 scannable barcode or matrix barcode that links to a page on the manufacturer's website if
4.11 that page contains all of the information required by this subdivision.

4.12 (d) The label must also include a statement stating that ~~this~~ the product does not claim
4.13 to diagnose, treat, cure, or prevent any disease and has not been evaluated or approved by
4.14 the United States Food and Drug Administration (FDA) unless the product has been so
4.15 approved.

4.16 ~~(b)~~ (e) The information required to be on the label by this subdivision must be prominently
4.17 and conspicuously placed ~~and~~ on the label or displayed on the website in terms that can be
4.18 easily read and understood by the consumer.

4.19 ~~(e)~~ (f) The ~~label~~ labeling must not contain any claim that the product may be used or is
4.20 effective for the prevention, treatment, or cure of a disease or that it may be used to alter
4.21 the structure or function of human or animal bodies, unless the claim has been approved by
4.22 the FDA.

4.23 Sec. 6. Minnesota Statutes 2020, section 151.72, is amended by adding a subdivision to
4.24 read:

4.25 Subd. 5a. **Additional requirements for edible cannabinoid products.** (a) In addition
4.26 to the testing and labeling requirements under subdivisions 4 and 5, an edible cannabinoid
4.27 must meet the requirements of this subdivision.

4.28 (b) An edible cannabinoid product must not:

4.29 (1) bear the likeness or contain cartoon-like characteristics of a real or fictional person,
4.30 animal, or fruit that appeals to children;

4.31 (2) be modeled after a brand of products primarily consumed by or marketed to children;

5.1 (3) be made by applying an extracted or concentrated hemp-derived cannabinoid to a
5.2 commercially available candy or snack food item;

5.3 (4) contain an ingredient, other than a hemp-derived cannabinoid, that is not approved
5.4 by the United States Food and Drug Administration for use in food;

5.5 (5) be packaged in a way that resembles the trademarked, characteristic, or
5.6 product-specialized packaging of any commercially available food product; or

5.7 (6) be packaged in a container that includes a statement, artwork, or design that could
5.8 reasonably mislead any person to believe that the package contains anything other than an
5.9 edible cannabinoid product.

5.10 (c) An edible cannabinoid product must be prepackaged in packaging or a container that
5.11 is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is
5.12 child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The
5.13 requirement that packaging be child-resistant does not apply to an edible cannabinoid product
5.14 that is intended to be consumed as a beverage and which contains no more than a trace
5.15 amount of any tetrahydrocannabinol.

5.16 (d) If an edible cannabinoid product is intended for more than a single use or contains
5.17 multiple servings, each serving must be indicated by scoring, wrapping, or other indicators
5.18 designating the individual serving size.

5.19 (e) A label containing at least the following information must be affixed to the packaging
5.20 or container of all edible cannabinoid products sold to consumers:

5.21 (1) the serving size;

5.22 (2) the cannabinoid profile per serving and in total;

5.23 (3) a list of ingredients, including identification of any major food allergens declared
5.24 by name; and

5.25 (4) the following statement: "Keep this product out of reach of children."

5.26 (f) An edible cannabinoid product must not contain more than five milligrams of any
5.27 tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any
5.28 tetrahydrocannabinol per package.

5.29 Sec. 7. Minnesota Statutes 2020, section 151.72, subdivision 6, is amended to read:

5.30 Subd. 6. **Enforcement.** (a) A product ~~sold~~ regulated under this section, including an
5.31 edible cannabinoid product, shall be considered an adulterated drug if:

6.1 (1) it consists, in whole or in part, of any filthy, putrid, or decomposed substance;

6.2 (2) it has been produced, prepared, packed, or held under unsanitary conditions where
6.3 it may have been rendered injurious to health, or where it may have been contaminated with
6.4 filth;

6.5 (3) its container is composed, in whole or in part, of any poisonous or deleterious
6.6 substance that may render the contents injurious to health;

6.7 (4) it contains any food additives, color additives, or excipients that have been found by
6.8 the FDA to be unsafe for human or animal consumption; ~~or~~

6.9 (5) it contains an amount or percentage of nonintoxicating cannabinoids that is different
6.10 than the amount or percentage stated on the label;

6.11 (6) it contains more than 0.3 percent of any tetrahydrocannabinol or, if the product is
6.12 an edible cannabinoid product, an amount of tetrahydrocannabinol that exceeds the limits
6.13 established in subdivision 5a, paragraph (f); or

6.14 (7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers,
6.15 or heavy metals.

6.16 (b) A product ~~sold~~ regulated under this section shall be considered a misbranded drug
6.17 if the product's labeling is false or misleading in any manner or in violation of the
6.18 requirements of this section.

6.19 (c) The board's authority to issue cease and desist orders under section 151.06; to embargo
6.20 adulterated and misbranded drugs under section 151.38; and to seek injunctive relief under
6.21 section 214.11, extends to any violation of this section.

6.22 ARTICLE 2

6.23 CONFORMING CHANGES

6.24 Section 1. Minnesota Statutes 2020, section 34A.01, subdivision 4, is amended to read:

6.25 Subd. 4. **Food.** "Food" means every ingredient used for, entering into the consumption
6.26 of, or used or intended for use in the preparation of food, drink, confectionery, or condiment
6.27 for humans or other animals, whether simple, mixed, or compound; and articles used as
6.28 components of these ingredients, except that edible cannabinoid products, as defined in
6.29 section 151.72, subdivision 1, paragraph (c), are not food.

6.30 Sec. 2. Minnesota Statutes 2020, section 152.02, subdivision 2, is amended to read:

6.31 Subd. 2. **Schedule I.** (a) Schedule I consists of the substances listed in this subdivision.

7.1 (b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the
7.2 following substances, including their analogs, isomers, esters, ethers, salts, and salts of
7.3 isomers, esters, and ethers, whenever the existence of the analogs, isomers, esters, ethers,
7.4 and salts is possible:

7.5 (1) acetylmethadol;

7.6 (2) allylprodine;

7.7 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl
7.8 acetate);

7.9 (4) alphameprodine;

7.10 (5) alphamethadol;

7.11 (6) alpha-methylfentanyl benzethidine;

7.12 (7) betacetylmethadol;

7.13 (8) betameprodine;

7.14 (9) betamethadol;

7.15 (10) betaprodine;

7.16 (11) clonitazene;

7.17 (12) dextromoramide;

7.18 (13) diampromide;

7.19 (14) diethylambutene;

7.20 (15) difenoxin;

7.21 (16) dimenoxadol;

7.22 (17) dimepheptanol;

7.23 (18) dimethylambutene;

7.24 (19) dioxaphetyl butyrate;

7.25 (20) dipipanone;

7.26 (21) ethylmethylthiambutene;

7.27 (22) etonitazene;

7.28 (23) etoxeridine;

- 8.1 (24) furethidine;
- 8.2 (25) hydroxypethidine;
- 8.3 (26) ketobemidone;
- 8.4 (27) levomoramide;
- 8.5 (28) levophenacylmorphane;
- 8.6 (29) 3-methylfentanyl;
- 8.7 (30) acetyl-alpha-methylfentanyl;
- 8.8 (31) alpha-methylthiofentanyl;
- 8.9 (32) benzylfentanyl beta-hydroxyfentanyl;
- 8.10 (33) beta-hydroxy-3-methylfentanyl;
- 8.11 (34) 3-methylthiofentanyl;
- 8.12 (35) thenylfentanyl;
- 8.13 (36) thiofentanyl;
- 8.14 (37) para-fluorofentanyl;
- 8.15 (38) morpheridine;
- 8.16 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 8.17 (40) noracymethadol;
- 8.18 (41) norlevorphanol;
- 8.19 (42) normethadone;
- 8.20 (43) norpipanone;
- 8.21 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 8.22 (45) phenadoxone;
- 8.23 (46) phenampromide;
- 8.24 (47) phenomorphan;
- 8.25 (48) phenoperidine;
- 8.26 (49) piritramide;
- 8.27 (50) proheptazine;

- 9.1 (51) properidine;
- 9.2 (52) propiram;
- 9.3 (53) racemoramide;
- 9.4 (54) tilidine;
- 9.5 (55) trimeperidine;
- 9.6 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);
- 9.7 (57) 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-
- 9.8 methylbenzamide(U47700);
- 9.9 (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanylfentanyl);
- 9.10 (59) 4-(4-bromophenyl)-4-dimethylamino-1-phenethylcyclohexanol (bromadol);
- 9.11 (60) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (Cyclopropyl
- 9.12 fentanyl);
- 9.13 (61) N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide) (butyryl fentanyl);
- 9.14 (62) 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine) (MT-45);
- 9.15 (63) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide (cyclopentyl
- 9.16 fentanyl);
- 9.17 (64) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl);
- 9.18 (65) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl);
- 9.19 (66) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide
- 9.20 (para-chloroisobutyryl fentanyl);
- 9.21 (67) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (para-fluorobutyryl
- 9.22 fentanyl);
- 9.23 (68) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide
- 9.24 (para-methoxybutyryl fentanyl);
- 9.25 (69) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide (ocfentanil);
- 9.26 (70) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (4-fluoroisobutyryl
- 9.27 fentanyl or para-fluoroisobutyryl fentanyl);
- 9.28 (71) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide (acryl fentanyl or
- 9.29 acryloylfentanyl);

10.1 (72) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (methoxyacetyl
10.2 fentanyl);

10.3 (73) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (ortho-fluorofentanyl
10.4 or 2-fluorofentanyl);

10.5 (74) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide
10.6 (tetrahydrofuranyl fentanyl); and

10.7 (75) Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers,
10.8 esters and ethers, meaning any substance not otherwise listed under another federal
10.9 Administration Controlled Substance Code Number or not otherwise listed in this section,
10.10 and for which no exemption or approval is in effect under section 505 of the Federal Food,
10.11 Drug, and Cosmetic Act, United States Code, title 21, section 355, that is structurally related
10.12 to fentanyl by one or more of the following modifications:

10.13 (i) replacement of the phenyl portion of the phenethyl group by any monocycle, whether
10.14 or not further substituted in or on the monocycle;

10.15 (ii) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo,
10.16 haloalkyl, amino, or nitro groups;

10.17 (iii) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether,
10.18 hydroxyl, halo, haloalkyl, amino, or nitro groups;

10.19 (iv) replacement of the aniline ring with any aromatic monocycle whether or not further
10.20 substituted in or on the aromatic monocycle; or

10.21 (v) replacement of the N-propionyl group by another acyl group.

10.22 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
10.23 and salts of isomers, unless specifically excepted or unless listed in another schedule,
10.24 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

10.25 (1) acetorphine;

10.26 (2) acetyldihydrocodeine;

10.27 (3) benzylmorphine;

10.28 (4) codeine methylbromide;

10.29 (5) codeine-n-oxide;

10.30 (6) cyprenorphine;

10.31 (7) desomorphine;

- 11.1 (8) dihydromorphine;
- 11.2 (9) drotebanol;
- 11.3 (10) etorphine;
- 11.4 (11) heroin;
- 11.5 (12) hydromorphinol;
- 11.6 (13) methyl-desorphanol;
- 11.7 (14) methyldihydromorphine;
- 11.8 (15) morphine methylbromide;
- 11.9 (16) morphine methylsulfonate;
- 11.10 (17) morphine-n-oxide;
- 11.11 (18) myrophine;
- 11.12 (19) nicocodeine;
- 11.13 (20) nicomorphine;
- 11.14 (21) normorphine;
- 11.15 (22) pholcodine; and
- 11.16 (23) thebacon.
- 11.17 (d) Hallucinogens. Any material, compound, mixture or preparation which contains any
- 11.18 quantity of the following substances, their analogs, salts, isomers (whether optical, positional,
- 11.19 or geometric), and salts of isomers, unless specifically excepted or unless listed in another
- 11.20 schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is
- 11.21 possible:
- 11.22 (1) methylenedioxy amphetamine;
- 11.23 (2) methylenedioxymethamphetamine;
- 11.24 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 11.25 (4) n-hydroxy-methylenedioxyamphetamine;
- 11.26 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 11.27 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 11.28 (7) 4-methoxyamphetamine;

- 12.1 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 12.2 (9) alpha-ethyltryptamine;
- 12.3 (10) bufotenine;
- 12.4 (11) diethyltryptamine;
- 12.5 (12) dimethyltryptamine;
- 12.6 (13) 3,4,5-trimethoxyamphetamine;
- 12.7 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 12.8 (15) ibogaine;
- 12.9 (16) lysergic acid diethylamide (LSD);
- 12.10 (17) mescaline;
- 12.11 (18) parahexyl;
- 12.12 (19) N-ethyl-3-piperidyl benzilate;
- 12.13 (20) N-methyl-3-piperidyl benzilate;
- 12.14 (21) psilocybin;
- 12.15 (22) psilocyn;
- 12.16 (23) tenocyclidine (TCP or TCP);
- 12.17 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 12.18 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- 12.19 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 12.20 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 12.21 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 12.22 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 12.23 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 12.24 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 12.25 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 12.26 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 12.27 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);

- 13.1 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 13.2 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 13.3 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 13.4 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine
- 13.5 (2-CB-FLY);
- 13.6 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 13.7 (40) alpha-methyltryptamine (AMT);
- 13.8 (41) N,N-diisopropyltryptamine (DiPT);
- 13.9 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 13.10 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 13.11 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 13.12 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 13.13 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 13.14 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 13.15 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 13.16 (49) 5-methoxy- α -methyltryptamine (5-MeO-AMT);
- 13.17 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 13.18 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- 13.19 (52) 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);
- 13.20 (53) 5-methoxy- α -ethyltryptamine (5-MeO-AET);
- 13.21 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 13.22 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 13.23 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 13.24 (57) methoxetamine (MXE);
- 13.25 (58) 5-iodo-2-aminoindane (5-IAI);
- 13.26 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 13.27 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);

- 14.1 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- 14.2 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
- 14.3 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 14.4 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 14.5 (65) N,N-Dipropyltryptamine (DPT);
- 14.6 (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
- 14.7 (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
- 14.8 (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
- 14.9 (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);
- 14.10 (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylorketamine,
- 14.11 ethketamine, NENK);
- 14.12 (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
- 14.13 (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
- 14.14 (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).
- 14.15 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora williamsii*
- 14.16 Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant,
- 14.17 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant,
- 14.18 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not
- 14.19 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian
- 14.20 Church, and members of the American Indian Church are exempt from registration. Any
- 14.21 person who manufactures peyote for or distributes peyote to the American Indian Church,
- 14.22 however, is required to obtain federal registration annually and to comply with all other
- 14.23 requirements of law.
- 14.24 (f) Central nervous system depressants. Unless specifically excepted or unless listed in
- 14.25 another schedule, any material compound, mixture, or preparation which contains any
- 14.26 quantity of the following substances, their analogs, salts, isomers, and salts of isomers
- 14.27 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:
- 14.28 (1) mecloqualone;
- 14.29 (2) methaqualone;
- 14.30 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;

- 15.1 (4) flunitrazepam;
- 15.2 (5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,
15.3 methoxyketamine);
- 15.4 (6) tianeptine;
- 15.5 (7) clonazolam;
- 15.6 (8) etizolam;
- 15.7 (9) flubromazolam; and
- 15.8 (10) flubromazepam.
- 15.9 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any
15.10 material compound, mixture, or preparation which contains any quantity of the following
15.11 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the
15.12 analogs, salts, isomers, and salts of isomers is possible:
- 15.13 (1) aminorex;
- 15.14 (2) cathinone;
- 15.15 (3) fenethylamine;
- 15.16 (4) methcathinone;
- 15.17 (5) methylaminorex;
- 15.18 (6) N,N-dimethylamphetamine;
- 15.19 (7) N-benzylpiperazine (BZP);
- 15.20 (8) methylmethcathinone (mephedrone);
- 15.21 (9) 3,4-methylenedioxy-N-methylcathinone (methylone);
- 15.22 (10) methoxymethcathinone (methedrone);
- 15.23 (11) methylenedioxypropylamphetamine (MDPV);
- 15.24 (12) 3-fluoro-N-methylcathinone (3-FMC);
- 15.25 (13) methylethcathinone (MEC);
- 15.26 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- 15.27 (15) dimethylmethcathinone (DMMC);
- 15.28 (16) fluoroamphetamine;

- 16.1 (17) fluoromethamphetamine;
- 16.2 (18) α -methylaminobutyrophenone (MABP or buphedrone);
- 16.3 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- 16.4 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 16.5 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or
- 16.6 naphyrone);
- 16.7 (22) (alpha-pyrrolidinopentiophenone (alpha-PVP);
- 16.8 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 16.9 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 16.10 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 16.11 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 16.12 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 16.13 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 16.14 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 16.15 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 16.16 (31) alpha-pyrrolidinobutiophenone (α -PBP);
- 16.17 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 16.18 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);
- 16.19 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
- 16.20 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 16.21 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4'-chloro-PPP);
- 16.22 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 16.23 (38) 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP);
- 16.24 (39) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone);
- 16.25 and
- 16.26 (40) any other substance, except bupropion or compounds listed under a different
- 16.27 schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the

17.1 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
17.2 compound is further modified in any of the following ways:

17.3 (i) by substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy,
17.4 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
17.5 system by one or more other univalent substituents;

17.6 (ii) by substitution at the 3-position with an acyclic alkyl substituent;

17.7 (iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
17.8 methoxybenzyl groups; or

17.9 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

17.10 (h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically
17.11 excepted or unless listed in another schedule, any natural or synthetic material, compound,
17.12 mixture, or preparation that contains any quantity of the following substances, their analogs,
17.13 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
17.14 of the isomers, esters, ethers, or salts is possible:

17.15 (1) marijuana;

17.16 (2) tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* except
17.17 that a product containing tetrahydrocannabinols is not included if it meets the requirements
17.18 of section 151.72, synthetic equivalents of the substances contained in the cannabis plant
17.19 or in the resinous extractives of the plant, or synthetic substances with similar chemical
17.20 structure and pharmacological activity to those substances contained in the plant or resinous
17.21 extract, including, but not limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans
17.22 tetrahydrocannabinol, and 3,4 cis or trans tetrahydrocannabinol;

17.23 (3) synthetic cannabinoids, including the following substances:

17.24 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole
17.25 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
17.26 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
17.27 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
17.28 extent and whether or not substituted in the naphthyl ring to any extent. Examples of
17.29 naphthoylindoles include, but are not limited to:

17.30 (A) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

17.31 (B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);

17.32 (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);

18.1 (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

18.2 (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);

18.3 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);

18.4 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

18.5 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);

18.6 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);

18.7 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).

18.8 (ii) Naphthylmethyloindoles, which are any compounds containing a

18.9 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the

18.10 indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

18.11 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further

18.12 substituted in the indole ring to any extent and whether or not substituted in the naphthyl

18.13 ring to any extent. Examples of naphthylmethyloindoles include, but are not limited to:

18.14 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);

18.15 (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).

18.16 (iii) Naphthoylpyrroles, which are any compounds containing a 3-(1-naphthoyl)pyrrole

18.17 structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,

18.18 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

18.19 2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any

18.20 extent, whether or not substituted in the naphthyl ring to any extent. Examples of

18.21 naphthoylpyrroles include, but are not limited to,

18.22 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).

18.23 (iv) Naphthylmethyloindenes, which are any compounds containing a naphthylideneindene

18.24 structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl,

18.25 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

18.26 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any

18.27 extent, whether or not substituted in the naphthyl ring to any extent. Examples of

18.28 naphthylmethyloindenes include, but are not limited to,

18.29 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).

18.30 (v) Phenylacetyloindoles, which are any compounds containing a 3-phenylacetyloindole

18.31 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,

18.32 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

19.1 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
19.2 extent, whether or not substituted in the phenyl ring to any extent. Examples of
19.3 phenylacetylindoles include, but are not limited to:

19.4 (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);

19.5 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);

19.6 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);

19.7 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).

19.8 (vi) Cyclohexylphenols, which are compounds containing a
19.9 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic
19.10 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
19.11 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
19.12 in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not
19.13 limited to:

19.14 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

19.15 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol

19.16 (Cannabicyclohexanol or CP 47,497 C8 homologue);

19.17 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
19.18 -phenol (CP 55,940).

19.19 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole structure
19.20 with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,
19.21 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
19.22 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
19.23 extent and whether or not substituted in the phenyl ring to any extent. Examples of
19.24 benzoylindoles include, but are not limited to:

19.25 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);

19.26 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);

19.27 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (WIN
19.28 48,098 or Pravadoline).

19.29 (viii) Others specifically named:

19.30 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)

19.31 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);

- 20.1 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
20.2 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 20.3 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
20.4 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 20.5 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);
- 20.6 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
20.7 (XLR-11);
- 20.8 (F) 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-carboxamide
20.9 (AKB-48(APINACA));
- 20.10 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide
20.11 (5-Fluoro-AKB-48);
- 20.12 (H) 1-pentyl-8-quinoliny ester-1H-indole-3-carboxylic acid (PB-22);
- 20.13 (I) 8-quinoliny ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro PB-22);
- 20.14 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide
20.15 (AB-PINACA);
- 20.16 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-
20.17 1H-indazole-3-carboxamide (AB-FUBINACA);
- 20.18 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-
20.19 indazole-3-carboxamide(AB-CHMINACA);
- 20.20 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate
20.21 (5-fluoro-AMB);
- 20.22 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 20.23 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone
20.24 (FUBIMINA);
- 20.25 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo
20.26 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 20.27 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)
20.28 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 20.29 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
20.30 -1H-indole-3-carboxamide;

- 21.1 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
21.2 -1H-indazole-3-carboxamide;
- 21.3 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
- 21.4 (U) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1
21.5 H-indazole-3-carboxamide (MAB-CHMINACA);
- 21.6 (V) N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
21.7 (ADB-PINACA);
- 21.8 (W) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- 21.9 (X) N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-
21.10 3-carboxamide. (APP-CHMINACA);
- 21.11 (Y) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and
- 21.12 (Z) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate (MMB-CHMICA).
- 21.13 (ix) Additional substances specifically named:
- 21.14 (A) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
21.15 H-pyrrolo[2,3-B]pyridine-3-carboxamide (5F-CUMYL-P7AICA);
- 21.16 (B) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1 H-indazole-3-carboxamide
21.17 (4-CN-Cumyl-Butinaca);
- 21.18 (C) naphthalen-1-yl-1-(5-fluoropentyl)-1-H-indole-3-carboxylate (NM2201; CBL2201);
- 21.19 (D) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1
21.20 H-indazole-3-carboxamide (5F-ABPINACA);
- 21.21 (E) methyl-2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate
21.22 (MDMB CHMICA);
- 21.23 (F) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
21.24 (5F-ADB; 5F-MDMB-PINACA); and
- 21.25 (G) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)
21.26 1H-indazole-3-carboxamide (ADB-FUBINACA).
- 21.27 (i) A controlled substance analog, to the extent that it is implicitly or explicitly intended
21.28 for human consumption.