



PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 855

BOARD OF PHARMACY

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FILING CAPTION: Amends Schedule I rule by adding exceptions to Marijuana and delta-9-tetrahydrocannabinol (THC)

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AMEND: 855-080-0021

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RULE SUMMARY: Amends Schedule I by excluding plant Cannabis family Cannabaceae or its parts, resins, seeds, or any compound, manufacture, salt, derivative, mixture or preparation of a plant, part of a plant, resin or seed pursuant to ORS 475.005(6)(b).

CHANGES TO RULE:

855-080-0021

Schedule I ¶¶

(1) Schedule I consists of the drugs and other substances, by whatever official, common, usual, chemical, or brand name designated, listed in 21 CFR 1308.11 (04/01/2020), and unless specifically exempt or unless listed in another schedule, any quantity of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:¶¶

(a) 1,4-butanediol;¶¶

(b) Gamma-butyrolactone¶¶

(c) Methamphetamine, except as listed in OAR 855-080-0022;¶¶

(d) Dichloro-N-(2-(dimethylamino)cyclohexyl)-N-methylbenzamide (U-47700)¶¶

(e) 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]piperidin-2-ylidene]benzenesulfonamide (W-18) and positional isomers thereof, and any substituted derivative of W-18 and its positional isomers, and their salts, by any substitution on the piperidine ring (including replacement of all or part of the nitrophenylethyl group), any substitution on or replacement of the sulfonamide, or any combination of the above that are not FDA approved drugs, unless specifically excepted or when in the possession of an FDA registered manufacturer or a registered research facility, or a person for the purpose of sale to an FDA registered manufacturer or a registered research facility.¶¶

(f) Substituted derivatives of cathinone and methcathinone that are not listed in OARs 855-080-0022 through 0026 (Schedules II through V) or are not FDA approved drugs, including but not limited to,¶¶

(A) Methylmethcathinone (Mephedrone);¶¶

(B) Methylenedioxypropylvalerone (MDPV);¶¶

(C) Methylenedioxymethylcathinone (Methylone);¶¶

(D) 2-Methylamino-3',4'-(methylenedioxy)-butyrophenone (Butylone);¶¶

(E) Fluoromethcathinone (Flephedrone);¶¶

(F) 4-Methoxymethcathinone (Methedrone).¶

(2) Schedule I also includes any compounds in the following structural classes (2a-2k) and their salts, that are not FDA approved drugs, unless specifically excepted or when in the possession of an FDA registered manufacturer or a registered research facility, or a person for the purpose of sale to an FDA registered manufacturer or a registered research facility:¶

(a) Naphthoylindoles: Any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples of this structural class include but are not limited to: JWH-015, JWH-018, JWH-019, JWH-073, JWH-081, JWH-122, JWH-200, JWH-210, AM-1220, MAM-2201 and AM-2201;¶

(b) Phenylacetylindoles: Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Examples of this structural class include but are not limited to: JWH-167, JWH-201, JWH-203, JWH-250, JWH-251, JWH-302 and RCS-8;¶

(c) Benzoylindoles: Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Examples of this structural class include but are not limited to: RCS-4, AM-694, AM-1241, and AM-2233;¶

(d) Cyclohexylphenols: Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring whether or not substituted in the cyclohexyl ring to any extent. Examples of this structural class include but are not limited to: CP 47,497 and its C8 homologue (cannabicyclohexanol);¶

(e) Naphthylmethylindoles: Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent;¶

(f) Naphthoylpyrroles: Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent;¶

(g) Naphthylmethylindenes: Any compound containing a 1-(1-naphthylmethyl) indene structure with substitution at the 3-position of the indene ring whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent;¶

(h) Cyclopropanoylindoles: Any compound containing an 3-(cyclopropylmethanoyl)indole structure with substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent and whether or not substituted in the cyclopropyl ring to any extent. Examples of this structural class include but are not limited to: UR-144, XLR-11 and A-796,260;¶

(i) Adamantoylindoles: Any compound containing a 3-(1-adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent. Examples of this structural class include but are not limited to: AM-1248 and AB-001;¶

(j) Adamantylindolecarboxamides: Any compound containing an N-adamantyl-1-indole-3-carboxamide with substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent. Examples of this structural class include but are not limited to: STS-135 and 2NE1; and¶

(k) Adamantylindazolecarboxamides: Any compound containing an N-adamantyl-1-indazole-3-carboxamide with substitution at the nitrogen atom of the indazole ring, whether or not further substituted in the indazole ring to any extent and whether or not substituted in the adamantyl ring to any extent. Examples of this structural class include but are not limited to: AKB48.¶

(3) Schedule I also includes any other cannabinoid receptor agonist that is not listed in OARs 855-080-0022 through 0026 (Schedules II through V) ~~or is not an FDA approved drug or is exempted from the definition of controlled substance in ORS 475.005(6)(b)(A)-(E).~~¶

(4) Schedule I also includes any substituted derivatives of fentanyl that are not listed in OARs 855-080-0022 through 0026 (Schedules II through V) or are not FDA approved drugs, and are derived from fentanyl by any substitution on or replacement of the phenethyl group, any substitution on the piperidine ring, any substitution on or replacement of the propanamide group, any substitution on the phenyl group, or any combination of the above.¶

(5) Schedule I also includes any compounds in the following structural classes (a - b), and their salts, that are not listed in OARs 855-080-0022 through 0026 (Schedules II through V) or FDA approved drugs, unless specifically excepted or when in the possession of an FDA registered manufacturer or a registered research facility, or a person for the purpose of sale to an FDA registered manufacturer or a registered research facility:¶

(a) Benzodiazepine class: A fused 1,4-diazepine and benzene ring structure with a phenyl connected to the

diazepine ring, with any substitution(s) or replacement(s) on the 1,4-diazepine or benzene ring, any substitution(s) on the phenyl ring, or any combination thereof. Examples of this structural class include but are not limited to: Clonazolam, Flualprazolam¶¶

(b) Thienodiazepine class: A fused 1,4-diazepine and thiophene ring structure with a phenyl connected to the 1,-4-diazepine ring, with any substitution(s) or replacement(s) on the 1,4-diazepine or thiophene ring, any substitution(s) on the phenyl ring, or any combination thereof. Examples of this structural class include but are not limited to: Etizolam¶¶

(6) Exceptions. The following are exceptions to subsection (1) of this rule:¶¶

(a) 1, 4-butanediol and gamma-butyrolactone when in the possession of a person for the purpose of its sale to a legitimate manufacturer of industrial products and the person is in compliance with the Drug Enforcement Administration requirements for List I Chemicals;¶¶

(b) 1, 4-butanediol and gamma-butyrolactone when in the possession of a person for the purpose of the legitimate manufacture of industrial products;¶¶

(c) ~~Marijuana and delta-9-tetrahydrocannabinol (THC)~~The following substances per ORS 475.005(6)(b):¶¶

(A) The plant Cannabis family Cannabaceae;¶¶

(B) Any part of the plant Cannabis family Cannabaceae, whether growing or not;¶¶

(C) Resin extracted from any part of the plant Cannabis family Cannabaceae;¶¶

(D) The seeds of the plant Cannabis family Cannabaceae; or¶¶

(E) Any compound, manufacture, salt, derivative, mixture or preparation of a plant, part of a plant, resin or seed described in this paragraph.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 475.035, ORS 475.055, ORS 475.065, ORS 475.005