

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 319
HOUSE BILL 630

AN ACT TO UPDATE THE CONTROLLED SUBSTANCES SCHEDULES IN
ARTICLE 5 OF CHAPTER 90 OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-89(c) reads as rewritten:

"(c) Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, including their salts, isomers, and salts of isomers, unless specifically excepted, or listed in another schedule, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. 3, 4-methylenedioxyamphetamine.
2. 5-methoxy-3, 4-methylenedioxyamphetamine.
- 2a. 3, 4-Methylenedioxymethamphetamine (MDMA).
- 2b. 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4-(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, and MDEA).
- 2c. N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4-(methylenedioxy)phenethylamine, and N-hydroxy MDA).
3. 3, 4, 5-trimethoxyamphetamine.
4. Bufotenine.
5. Diethyltryptamine.
6. Dimethyltryptamine.
7. 4-methyl-2, 5-dimethoxyamphetamine.
8. Ibogaine.
9. Lysergic acid diethylamide.
10. Mescaline.
11. Peyote, meaning all parts of the plant presently classified botanically as *Lophophora Williamsii* Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seed or extracts.
12. N-ethyl-3-piperidyl benzilate.
13. N-methyl-3-piperidyl benzilate.
14. Psilocybin.
15. Psilocyn.

16. 2, 5-dimethoxyamphetamine.
- 16a. 2, 5-dimethoxy-4-ethylamphetamine. Some trade or other names: DOET.
17. 4-bromo-2, 5-dimethoxyamphetamine.
18. 4-methoxyamphetamine.
19. Ethylamine analog of phencyclidine. Some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE.
20. Pyrrolidine analog of phencyclidine. Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP.
21. Thiophene analog of phencyclidine. Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP.
- 21a. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine; Some other names: TCPy.
22. Parahexyl."

Sec. 2. G.S. 90-89(e) reads as rewritten:

"(e) Stimulants. – Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having as stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

01. Cathinone. Some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone.
 1. Fenethylamine.
 - 1a. (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine] (also known as 2-amino-4-methyl-5-phenyl-2-oxazoline).
 - 1b. N,N-dimethylamphetamine [Some other names: N,N,alpha-trimethylbenzeneethanamine; N,N,alpha-trimethylphenethylamine].
 2. N-ethylamphetamine."

Sec. 3. G.S. 90-90(a) reads as rewritten:

"(a) Any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, unless specifically excepted or unless listed in another schedule:

1. Opium and opiate, and any salt, compound, derivative, or preparation of opium and opiate, excluding apomorphine, thebaine derived butorphanol, nalbuphine, dextrorphan, naloxone, naltrexone and nalmefene, and their respective salts, but including the following:
 - (i) Raw opium.
 - (ii) Opium extracts.
 - (iii) Opium fluid extracts.
 - (iv) Powdered opium.

- (v) Granulated opium.
 - (vi) Tincture of opium.
 - (vii) Codeine.
 - (viii) Ethylmorphine.
 - (ix) Etorphine hydrochloride.
 - (x) Hydrocodone.
 - (xi) Hydromorphone.
 - (xii) Metopon.
 - (xiii) Morphine.
 - (xiv) Oxycodone.
 - (xv) Oxymorphone.
 - (xvi) Thebaine.
2. Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph 1 of this subdivision, except that these substances shall not include the isoquinoline alkaloids of opium.
 3. Opium poppy and poppy straw.
 4. Cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or coca leaves and any salt, isomer, salts of isomers, compound, derivative, or preparation of coca leaves, or any salt, isomer, salts of isomers, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocanized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.
 5. Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrine alkaloids of the opium poppy)."

Sec. 4. G.S. 90-90(d) reads as rewritten:

"(d) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, unless specifically exempted by the Commission or listed in another schedule:

1. Amobarbital
- 1a. Glutethimide
2. Repealed by Session Laws 1983, c. 695, s. 2, effective October 1, 1983.
3. Pentobarbital
4. Phencyclidine
5. Phencyclidine immediate precursors:
 - a. 1-Phencylclohexylamine
 - b. 1-Piperidinocyclohexanecarbonitrile (PCC)
6. Secobarbital."

Sec. 5. G.S. 90-91(b) reads as rewritten:

"(b) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system unless specifically exempted or listed in another schedule:

1. Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid.
2. Chlorhexadol.
3. ~~Glutethimide.~~
4. Lysergic acid.
5. Lysergic acid amide.
6. Methyprylon.
7. Sulfondiethylmethane.
8. Sulfonethylmethane.
9. Sulfonmethane.
- 9a. Tiletamine and zolazepam or any salt thereof. Some trade or other names for 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-trimethylpyrazolo-[3,4-e][1,4]-diazepin-7(1H)-one. flupyrazapon.
10. Any compound, mixture or preparation containing
 - (i) Amobarbital.
 - (ii) Secobarbital.
 - (iii) Pentobarbital.or any salt thereof and one or more active ingredients which are not included in any other schedule.
11. Any suppository dosage form containing
 - (i) Amobarbital.
 - (ii) Secobarbital.
 - (iii) Pentobarbital.or any salt of any of these drugs and approved by the federal Food and Drug Administration for marketing as a suppository."

Sec. 6. G.S. 90-92(a) reads as rewritten:

"(a) Depressants. – Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. Alprazolam.
2. Barbital.
3. Bromazepam.
4. Camazepam.
5. Chloral betaine.
6. Chloral hydrate.

7. Chlordiazepoxide.
8. Clobazam.
9. Clonazepam.
10. Clorazepate.
11. Clotiazepam.
12. Cloxazolam.
13. Delorazepam.
14. Diazepam.
15. Estazolam.
16. Ethchlorvynol.
17. Ethinamate.
18. Ethyl loflazepate.
19. Fludiazepam.
20. Flunitrazepam.
21. Flurazepam.
22. Halazepam.
23. Haloxazolam.
24. Ketazolam.
25. Loprazolam.
26. Lorazepam.
27. Lormetazepam.
28. Mebutamate.
29. Medazepam.
30. Meprobamate.
31. Methohexital.
32. Methylphenobarbital (mephobarbital).
33. Midazolam.
34. Nimetazepam.
35. Nitrazepam.
36. Nordiazepam.
37. Oxazepam.
38. Oxazolam.
39. Paraldehyde.
40. Petrichloral.
41. Phenobarbital.
42. Pinazepam.
43. Prazepam.
44. Quazepam.
45. Temazepam.
46. Tetrazepam.
47. Triazolam.
48. Zolpidem."

Sec. 7. G.S. 90-93(a) reads as rewritten:

"(a) This schedule includes the controlled substances listed or to be listed by whatever official name, common or usual name, chemical name, or trade name designated. In determining that a substance comes within this schedule, the Commission shall find: a low potential for abuse relative to the substances listed in Schedule IV of this Article; currently accepted medical use in the United States; and limited physical or psychological dependence relative to the substances listed in Schedule IV of this Article. The following controlled substances are included in this schedule:

1. Any compound, mixture or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic alone:
 - (i) Not more than 200 milligrams of codeine or any of its salts per 100 milliliters or per 100 grams.
 - (ii) Not more than 100 milligrams of dihydrocodeine or any of its salts per 100 milliliters or per 100 grams.
 - (iii) Not more than 100 milligrams of ethylmorphine or any of its salts per 100 milliliters or per 100 grams.
 - (iv) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.
 - (v) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.
 - (vi) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.
2. Repealed by Session Laws 1985, c. 172, s. 9, effective May 10, 1985.
3. Stimulants. - Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:
 - a. ~~Propylhexedrine.~~
 - b. Pyrovalerone."

Sec. 8. Prosecutions for offenses committed under Article 5 of Chapter 90 before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

Sec. 9. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 9th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives