

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-233
SENATE BILL 543**

**AN ACT TO AMEND THE CLASSIFICATION OF CERTAIN CONTROLLED
SUBSTANCES TO MAKE CONSISTENT WITH FEDERAL LAW GOVERNING
CONTROLLED SUBSTANCES.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-90(1)a. reads as rewritten:

"§ 90-90. Schedule II controlled substances.

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 high potential for abuse; currently accepted medical use in the United States, or currently accepted medical use with severe restrictions; and the abuse of the substance may lead to severe psychic or physical dependence. The following controlled substances are included in this schedule:

- (1) 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:
 - a. Opium and opiate, and any salt, compound, derivative, or preparation of opium and opiate, excluding apomorphine, nalbuphine, dextrorphan, naloxone, naltrexone and nalmefene, and their respective salts, but including the following:
 1. Raw opium.
 2. Opium extracts.
 3. Opium fluid extracts.
 4. Powdered opium.
 5. Granulated opium.
 6. Tincture of opium.
 7. Codeine.
 8. Ethylmorphine.
 9. Etorphine hydrochloride.
 10. Hydrocodone.
 11. Hydromorphone.
 12. Metopon.
 13. Morphine.
 14. Oxycodone.
 15. Oxymorphone.
 16. Thebaine.
 17. Dihydroetorphine."

SECTION 2.(a) G.S. 90-90(5) reads as rewritten:

- "(5) 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:

- a. ~~Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product. [Some other names: (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-1,6H-dibenzo[b,d]pyran-1-ol, or (-) delta 9-(trans)-tetrahydrocannabinol].~~
- b. Nabilone [Another name for nabilone: (+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6/y-dimethyl-9H-dibenzo[b,d]pyran-9-one]."

SECTION 2.(b) G.S. 90-91 is amended by adding the following new subsection to read:

"(m) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product. [Some other names: (6aR-trans), -6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol]."

SECTION 3.(a) 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. Repealed by Session Laws 1993, c. 319, s. 5.
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.
12. Ketamine."

SECTION 3.(b) G.S. 90-91(1) is repealed.

SECTION 4. G.S. 90-92(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 III of this Article; currently accepted medical use in the United States; and limited physical or psychological dependence relative to the substances listed in Schedule III of this Article. The following controlled substances are included in this schedule:

- (1) 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:
 - a. Alprazolam.
 - b. Barbitol.
 - c. Bromazepam.
 - d. Camazepam.
 - e. Chloral betaine.
 - f. Chloral hydrate.
 - g. Chlordiazepoxide.
 - h. Clobazam.
 - i. Clonazepam.
 - j. Clorazepate.
 - k. Clotiazepam.
 - l. Cloxazolam.
 - m. Delorazepam.
 - n. Diazepam.
 - o. Estazolam.
 - p. Ethchlorvynol.
 - q. Ethinamate.
 - r. Ethyl loflazepate.
 - s. Fludiazepam.
 - t. Flunitrazepam.
 - u. Flurazepam.
 - v. Repealed by Session Laws 2000, c. 140, s. 92.2(c).
 - w. Halazepam.
 - x. Haloxazolam.
 - y. Ketazolam.
 - z. Loprazolam.
 - aa. Lorazepam.
 - bb. Lormetazepam.
 - cc. Mebutamate.
 - dd. Medazepam.
 - ee. Meprobamate.
 - ff. Methohexital.
 - gg. Methylphenobarbital (mephobarbital).
 - hh. Midazolam.
 - ii. Nimetazepam.
 - jj. Nitrazepam.
 - kk. Nordiazepam.
 - ll. Oxazepam.
 - mm. Oxazolam.
 - nn. Paraldehyde.
 - oo. Petrichloral.
 - pp. Phenobarbital.
 - qq. Pinazepam.
 - rr. Prazepam.

- ss. Quazepam.
 - tt. Temazepam.
 - uu. Tetrazepam.
 - vv. Triazolam.
 - ww. Zolpidem.
 - xx. Zaleplon.
- (2) Any material, compound, mixture, or preparation which contains any of the following substances, including its salts, or isomers and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:
- a. Fenfluramine.
 - b. Pentazocine.
- (3) Stimulants. – Unless specifically excepted 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 (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:
- a. Diethylpropion.
 - b. Mazindol.
 - c. Pemoline (including organometallic complexes and chelates thereof).
 - d. Phentermine.
 - e. Cathine.
 - f. Fencamfamin.
 - g. Fenproporex.
 - h. Mefenorex.
 - i. Sibutramine.
 - j. Modafinil.
- (4) Other Substances. – 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:
- a. Dextropropoxyphene (Alpha-(plus)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propion oxybutane).
 - b. Pipradrol.
 - c. SPA ((-)-1-dimethylamino-1, 2-diphenylethane).
 - d. Butorphanol.
- (5) Narcotic Drugs. – Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:
- a. Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.
 - b. Buprenorphine."

SECTION 5. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 11th day of
June, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 3:24 p.m. this 21st day of June, 2001