

Board of Pharmacy

Inclusion of fentanyl-related compounds in Schedule I consistent with federal scheduling changes

18VAC110-20-323. Scheduling for conformity with federal law or rule.

Pursuant to subsection E of § 54.1-3443 of the Code of Virginia and in order to conform the Drug Control Act to recent scheduling changes enacted in federal law or rule, the board:

1. Replaces 4-anilino-N-phenethyl-4-piperidine (CASRN 21409-26-7) in Schedule II with 4-anilino-N-phenethylpiperidine (ANPP);
2. Deletes Samidorphan from Schedule II; ~~and~~
3. Adds zuranolone to Schedule IV-; and
4. Adds the following chemicals into Schedule I:
  - a. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of a fentanyl-related substance, or which contains the salts, isomers, and salts of isomers of a fentanyl-related substance whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.
  - b. For purposes of subsection 4 a of this section, except as provided in subsection 4 c of this section, the term "fentanyl-related substance" means any substance that is structurally related to fentanyl by one or more of the following modifications:
    - (1) By replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle.

(2) By substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups.

(3) By substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups.

(4) By replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle.

(5) By replacement of the N-propionyl group with another acyl group.

c. A substance that satisfies the definition of the term "fentanyl-related substance" in subsection 4 b shall not be treated as a fentanyl-related substance subject to this schedule if the substance is expressly listed in a schedule other than this schedule.

d. The absence of a substance from Schedule I in the Drug Control Act or regulation does not negate the control status of the substance under this schedule if the substance satisfies the definition of the term "fentanyl-related substance" in subsection 4 b and does not meet the exception requirement of subsection 4 c.