

112TH CONGRESS
2D SESSION

S. 3189

To amend the Controlled Substances Act to place synthetic drugs in Schedule I.

IN THE SENATE OF THE UNITED STATES

MAY 16, 2012

Mr. PORTMAN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Controlled Substances Act to place synthetic drugs in Schedule I.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Synthetic Drug Con-
5 trol Act of 2012”.

6 **SEC. 2. ADDITION OF SYNTHETIC DRUGS TO SCHEDULE I**
7 **OF THE CONTROLLED SUBSTANCES ACT.**

8 (a) CANNABIMIMETIC AGENTS.—Schedule I, as set
9 forth in section 202(c) of the Controlled Substances Act

1 (21 U.S.C. 812(c)) is amended by adding at the end the
2 following:

3 “(d)(1) Unless specifically exempted or unless listed
4 in another schedule, any material, compound, mixture, or
5 preparation which contains any quantity of
6 cannabimimetic agents, or which contains their salts, iso-
7 mers, and salts of isomers whenever the existence of such
8 salts, isomers, and salts of isomers is possible within the
9 specific chemical designation.

10 “(2) In paragraph (1):

11 “(A) The term ‘cannabimimetic agents’ means
12 any substance that is a cannabinoid receptor type 1
13 (CB1 receptor) agonist as demonstrated by binding
14 studies and functional assays within any of the fol-
15 lowing structural classes:

16 “(i) 2-(3-hydroxycyclohexyl)phenol with
17 substitution at the 5-position of the phenolic
18 ring by alkyl or alkenyl, whether or not sub-
19 stituted on the cyclohexyl ring to any extent.

20 “(ii) 3-(1-naphthoyl)indole or 3-(1-
21 naphthylmethane)indole by substitution at the
22 nitrogen atom of the indole ring, whether or not
23 further substituted on the indole ring to any ex-
24 tent, whether or not substituted on the naph-
25 thoyl or naphthyl ring to any extent.

1 “(iii) 3-(1-naphthoyl)pyrrole by substi-
 2 tution at the nitrogen atom of the pyrrole ring,
 3 whether or not further substituted in the
 4 pyrrole ring to any extent, whether or not sub-
 5 stituted on the naphthoyl ring to any extent.

6 “(iv) 1-(1-naphthylmethylene)indene by
 7 substitution of the 3-position of the indene ring,
 8 whether or not further substituted in the indene
 9 ring to any extent, whether or not substituted
 10 on the naphthyl ring to any extent.

11 “(v) 3-phenylacetylindole or 3-
 12 benzoylindole by substitution at the nitrogen
 13 atom of the indole ring, whether or not further
 14 substituted in the indole ring to any extent,
 15 whether or not substituted on the phenyl ring
 16 to any extent.

17 “(B) Such term includes—

18 “(i) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-
 19 hydroxycyclohexyl]-phenol (CP-47,497);

20 “(ii) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-
 21 hydroxycyclohexyl]-phenol (cannabicyclohexanol
 22 or CP-47,497 C8-homolog);

23 “(iii) 1-pentyl-3-(1-naphthoyl)indole
 24 (JWH-018 and AM678);

- 1 “(iv) 1-butyl-3-(1-naphthoyl)indole (JWH–
2 073);
- 3 “(v) 1-hexyl-3-(1-naphthoyl)indole (JWH–
4 019);
- 5 “(vi) 1-[2-(4-morpholinyl)ethyl]-3-(1-naph-
6 thoyl)indole (JWH–200);
- 7 “(vii) 1-pentyl-3-(2-
8 methoxyphenylacetyl)indole (JWH–250);
- 9 “(viii) 1-pentyl-3-[1-(4-
10 methoxynaphthoyl)]indole (JWH–081);
- 11 “(ix) 1-pentyl-3-(4-methyl-1-naph-
12 thoyl)indole (JWH–122);
- 13 “(x) 1-pentyl-3-(4-chloro-1-naph-
14 thoyl)indole (JWH–398);
- 15 “(xi) 1-(5-fluoropentyl)-3-(1-naph-
16 thoyl)indole (AM2201);
- 17 “(xii) 1-(5-fluoropentyl)-3-(2-
18 iodobenzoyl)indole (AM694);
- 19 “(xiii) 1-pentyl-3-[(4-methoxy)-ben-
20 zoyl]indole (SR–19 and RCS–4);
- 21 “(xiv) 1-cyclohexylethyl-3-(2-
22 methoxyphenylacetyl)indole (SR–18 and RCS–
23 8); and
- 24 “(xv) 1-pentyl-3-(2-
25 chlorophenylacetyl)indole (JWH–203).”.

(b) OTHER DRUGS.—Schedule I of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) is amended in subsection (c) by adding at the end the following:

“(18) 4-methylmethcathinone (Mephedrone).

“(19) 3,4-methylenedioxypyrovalerone (MDPV).

“(20) 3,4-methylenedioxymethcathinone (methydone).

“(21) Naphthylpyrovalerone (naphyrone).

“(22) 4-fluoromethcathinone (flephedrone).

“(23) 4-methoxymethcathinone (methedrone; Bk-PMMA).

“(24) Ethcathinone (N-Ethylcathinone).

“(25) 3,4-methylenedioxyethcathinone (ethylone).

“(26) Beta-keto-N-methyl-3,4-benzodioxymethylbutanamine (butylone).

“(27) N,N-dimethylcathinone (metamfepramone).

“(28) Alpha-pyrrolidinopropiophenone (alpha-PPP).

“(29) 4-methoxy-alpha-pyrrolidinopropiophenone (MOPPP).

“(30) 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (MDPPP).

- 1 “(31) Alpha-pyrrolidinovalerophenone (alpha-
2 PVP).
- 3 “(32) 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-
4 6-amine) (MDAI).
- 5 “(33) 3-fluoromethcathinone.
- 6 “(34) 4'-Methyl- α -pyrrolidinobutiophenone
7 (MPBP).
- 8 “(35) 2-(2,5-Dimethoxy-4-
9 ethylphenyl)ethanamine (2C-E).
- 10 “(36) 2-(2,5-Dimethoxy-4-
11 methylphenyl)ethanamine (2C-D).
- 12 “(37) 2-(4-Chloro-2,5-
13 dimethoxyphenyl)ethanamine (2C-C).
- 14 “(38) 2-(4-Iodo-2,5-
15 dimethoxyphenyl)ethanamine (2C-I).
- 16 “(39) 2-[4-(Ethylthio)-2,5-
17 dimethoxyphenyl]ethanamine (2C-T-2).
- 18 “(40) 2-[4-(Isopropylthio)-2,5-
19 dimethoxyphenyl]ethanamine (2C-T-4).
- 20 “(41) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-
21 H).
- 22 “(42) 2-(2,5-Dimethoxy-4-nitro-
23 phenyl)ethanamine (2C-N).
- 24 “(43) 2-(2,5-Dimethoxy-4-(n)-
25 propylphenyl)ethanamine (2C-P).”.

1 **SEC. 3. TEMPORARY SCHEDULING TO AVOID IMMINENT**
2 **HAZARDS TO PUBLIC SAFETY EXPANSION.**

3 Section 201(h)(2) of the Controlled Substances Act
4 (21 U.S.C. 811(h)(2)) is amended—

5 (1) by striking “one year” and inserting “2
6 years”; and

7 (2) by striking “six months” and inserting “1
8 year”.

○