

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 547**  
**99TH GENERAL ASSEMBLY**

5165H.07C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 195.010, 195.017, and 196.070, RSMo, and to enact in lieu thereof sixteen new sections relating to industrial hemp, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 195.010, 195.017, and 196.070, RSMo, are repealed and sixteen new  
2 sections enacted in lieu thereof, to be known as sections 195.010, 195.017, 195.203, 195.740,  
3 195.743, 195.746, 195.749, 195.752, 195.755, 195.756, 195.758, 195.764, 195.767, 195.770,  
4 195.773, and 196.070, to read as follows:

195.010. The following words and phrases as used in this chapter and chapter 579,  
2 unless the context otherwise requires, mean:

3 (1) "Addict", a person who habitually uses one or more controlled substances to such an  
4 extent as to create a tolerance for such drugs, and who does not have a medical need for such  
5 drugs, or who is so far addicted to the use of such drugs as to have lost the power of self-control  
6 with reference to his or her addiction;

7 (2) "Administer", to apply a controlled substance, whether by injection, inhalation,  
8 ingestion, or any other means, directly to the body of a patient or research subject by:

9 (a) A practitioner (or, in his or her presence, by his or her authorized agent); or

10 (b) The patient or research subject at the direction and in the presence of the practitioner;

11 (3) "Agent", an authorized person who acts on behalf of or at the direction of a  
12 manufacturer, distributor, or dispenser. The term does not include a common or contract carrier,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 public warehouseman, or employee of the carrier or warehouseman while acting in the usual and  
14 lawful course of the carrier's or warehouseman's business;

15 (4) "Attorney for the state", any prosecuting attorney, circuit attorney, or attorney general  
16 authorized to investigate, commence and prosecute an action under this chapter;

17 (5) "Controlled substance", a drug, substance, or immediate precursor in Schedules I  
18 through V listed in this chapter;

19 (6) "Controlled substance analogue", a substance the chemical structure of which is  
20 substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

21 (a) Which has a stimulant, depressant, or hallucinogenic effect on the central nervous  
22 system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central  
23 nervous system of a controlled substance included in Schedule I or II; or

24 (b) With respect to a particular individual, which that individual represents or intends  
25 to have a stimulant, depressant, or hallucinogenic effect on the central nervous system  
26 substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous  
27 system of a controlled substance included in Schedule I or II. The term does not include a  
28 controlled substance; any substance for which there is an approved new drug application; any  
29 substance for which an exemption is in effect for investigational use, for a particular person,  
30 under Section 505 of the federal Food, Drug and Cosmetic Act (21 U.S.C. Section 355) to the  
31 extent conduct with respect to the substance is pursuant to the exemption; or any substance to  
32 the extent not intended for human consumption before such an exemption takes effect with  
33 respect to the substance;

34 (7) "Counterfeit substance", a controlled substance which, or the container or labeling  
35 of which, without authorization, bears the trademark, trade name, or other identifying mark,  
36 imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser  
37 other than the person who in fact manufactured, distributed, or dispensed the substance;

38 (8) "Deliver" or "delivery", the actual, constructive, or attempted transfer from one  
39 person to another of drug paraphernalia or of a controlled substance, or an imitation controlled  
40 substance, whether or not there is an agency relationship, and includes a sale;

41 (9) "Dentist", a person authorized by law to practice dentistry in this state;

42 (10) "Depressant or stimulant substance":

43 (a) A drug containing any quantity of barbituric acid or any of the salts of barbituric acid  
44 or any derivative of barbituric acid which has been designated by the United States Secretary of  
45 Health and Human Services as habit forming under 21 U.S.C. Section 352(d);

46 (b) A drug containing any quantity of:

47 a. Amphetamine or any of its isomers;

48 b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

49 c. Any substance the United States Attorney General, after investigation, has found to  
50 be, and by regulation designated as, habit forming because of its stimulant effect on the central  
51 nervous system;

52 (c) Lysergic acid diethylamide; or

53 (d) Any drug containing any quantity of a substance that the United States Attorney  
54 General, after investigation, has found to have, and by regulation designated as having, a  
55 potential for abuse because of its depressant or stimulant effect on the central nervous system or  
56 its hallucinogenic effect;

57 (11) "Dispense", to deliver a narcotic or controlled dangerous drug to an ultimate user  
58 or research subject by or pursuant to the lawful order of a practitioner including the prescribing,  
59 administering, packaging, labeling, or compounding necessary to prepare the substance for such  
60 delivery. "Dispenser" means a practitioner who dispenses;

61 (12) "Distribute", to deliver other than by administering or dispensing a controlled  
62 substance;

63 (13) "Distributor", a person who distributes;

64 (14) "Drug":

65 (a) Substances recognized as drugs in the official United States Pharmacopoeia, Official  
66 Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any  
67 supplement to any of them;

68 (b) Substances intended for use in the diagnosis, cure, mitigation, treatment or  
69 prevention of disease in humans or animals;

70 (c) Substances, other than food, intended to affect the structure or any function of the  
71 body of humans or animals; and

72 (d) Substances intended for use as a component of any article specified in this  
73 subdivision. It does not include devices or their components, parts or accessories;

74 (15) "Drug-dependent person", a person who is using a controlled substance and who  
75 is in a state of psychic or physical dependence, or both, arising from the use of such substance  
76 on a continuous basis. Drug dependence is characterized by behavioral and other responses  
77 which include a strong compulsion to take the substance on a continuous basis in order to  
78 experience its psychic effects or to avoid the discomfort caused by its absence;

79 (16) "Drug enforcement agency", the Drug Enforcement Administration in the United  
80 States Department of Justice, or its successor agency;

81 (17) "Drug paraphernalia", all equipment, products, substances and materials of any kind  
82 which are used, intended for use, or designed for use, in planting, propagating, cultivating,  
83 growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing,  
84 storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the

85 human body a controlled substance or an imitation controlled substance in violation of this  
86 chapter or chapter 579. It includes, but is not limited to:

87 (a) Kits used, intended for use, or designed for use in planting, propagating, cultivating,  
88 growing or harvesting of any species of plant which is a controlled substance or from which a  
89 controlled substance can be derived;

90 (b) Kits used, intended for use, or designed for use in manufacturing, compounding,  
91 converting, producing, processing, or preparing controlled substances or imitation controlled  
92 substances;

93 (c) Isomerization devices used, intended for use, or designed for use in increasing the  
94 potency of any species of plant which is a controlled substance or an imitation controlled  
95 substance;

96 (d) Testing equipment used, intended for use, or designed for use in identifying, or in  
97 analyzing the strength, effectiveness or purity of controlled substances or imitation controlled  
98 substances;

99 (e) Scales and balances used, intended for use, or designed for use in weighing or  
100 measuring controlled substances or imitation controlled substances;

101 (f) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose  
102 and lactose, used, intended for use, or designed for use in cutting controlled substances or  
103 imitation controlled substances;

104 (g) Separation gins and sifters used, intended for use, or designed for use in removing  
105 twigs and seeds from, or in otherwise cleaning or refining, marijuana;

106 (h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or  
107 designed for use in compounding controlled substances or imitation controlled substances;

108 (i) Capsules, balloons, envelopes and other containers used, intended for use, or designed  
109 for use in packaging small quantities of controlled substances or imitation controlled substances;

110 (j) Containers and other objects used, intended for use, or designed for use in storing or  
111 concealing controlled substances or imitation controlled substances;

112 (k) Hypodermic syringes, needles and other objects used, intended for use, or designed  
113 for use in parenterally injecting controlled substances or imitation controlled substances into the  
114 human body;

115 (l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise  
116 introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

117 a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens,  
118 permanent screens, hashish heads, or punctured metal bowls;

119 b. Water pipes;

120 c. Carburetion tubes and devices;

- 121 d. Smoking and carburetion masks;
- 122 e. Roach clips meaning objects used to hold burning material, such as a marijuana  
123 cigarette, that has become too small or too short to be held in the hand;
- 124 f. Miniature cocaine spoons and cocaine vials;
- 125 g. Chamber pipes;
- 126 h. Carburetor pipes;
- 127 i. Electric pipes;
- 128 j. Air-driven pipes;
- 129 k. Chillums;
- 130 l. Bonges;
- 131 m. Ice pipes or chillers;
- 132 (m) Substances used, intended for use, or designed for use in the manufacture of a  
133 controlled substance;
- 134
- 135 In determining whether an object, product, substance or material is drug paraphernalia, a court  
136 or other authority should consider, in addition to all other logically relevant factors, the  
137 following:
- 138 a. Statements by an owner or by anyone in control of the object concerning its use;
- 139 b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any  
140 state or federal law relating to any controlled substance or imitation controlled substance;
- 141 c. The proximity of the object, in time and space, to a direct violation of this chapter or  
142 chapter 579;
- 143 d. The proximity of the object to controlled substances or imitation controlled  
144 substances;
- 145 e. The existence of any residue of controlled substances or imitation controlled  
146 substances on the object;
- 147 f. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of  
148 the object, to deliver it to persons who he or she knows, or should reasonably know, intend to  
149 use the object to facilitate a violation of this chapter or chapter 579; the innocence of an owner,  
150 or of anyone in control of the object, as to direct violation of this chapter or chapter 579 shall not  
151 prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
- 152 g. Instructions, oral or written, provided with the object concerning its use;
- 153 h. Descriptive materials accompanying the object which explain or depict its use;
- 154 i. National or local advertising concerning its use;
- 155 j. The manner in which the object is displayed for sale;

- 156 k. Whether the owner, or anyone in control of the object, is a legitimate supplier of like  
157 or related items to the community, such as a licensed distributor or dealer of tobacco products;
- 158 l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of  
159 the business enterprise;
- 160 m. The existence and scope of legitimate uses for the object in the community;
- 161 n. Expert testimony concerning its use;
- 162 o. The quantity, form or packaging of the product, substance or material in relation to  
163 the quantity, form or packaging associated with any legitimate use for the product, substance or  
164 material;
- 165 (18) "Federal narcotic laws", the laws of the United States relating to controlled  
166 substances;
- 167 (19) "Hospital", a place devoted primarily to the maintenance and operation of facilities  
168 for the diagnosis, treatment or care, for not less than twenty-four hours in any week, of three or  
169 more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal  
170 physical conditions; or a place devoted primarily to provide, for not less than twenty-four  
171 consecutive hours in any week, medical or nursing care for three or more nonrelated individuals.  
172 The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined  
173 in chapter 198;
- 174 (20) **"Illegal industrial hemp":**
- 175 **(a) All nonseed parts and varieties of the Cannabis sativa L. plant, growing or not,**  
176 **that contain an average delta-9 tetrahydrocannabinol (THC) concentration exceeding**  
177 **three-tenths of one percent on a dry weight basis;**
- 178 **(b) "Illegal industrial hemp" shall be destroyed by appropriate means carried out**  
179 **under the supervision of the Missouri state highway patrol in coordination with local law**  
180 **enforcement agencies;**
- 181 (21) "Immediate precursor", a substance which:
- 182 (a) The state department of health and senior services has found to be and by rule  
183 designates as being the principal compound commonly used or produced primarily for use in the  
184 manufacture of a controlled substance;
- 185 (b) Is an immediate chemical intermediary used or likely to be used in the manufacture  
186 of a controlled substance; and
- 187 (c) The control of which is necessary to prevent, curtail or limit the manufacture of the  
188 controlled substance;
- 189 [~~21~~] (22) "Imitation controlled substance", a substance that is not a controlled  
190 substance, which by dosage unit appearance (including color, shape, size and markings), or by  
191 representations made, would lead a reasonable person to believe that the substance is a controlled

192 substance. In determining whether the substance is an imitation controlled substance the court  
193 or authority concerned should consider, in addition to all other logically relevant factors, the  
194 following:

195 (a) Whether the substance was approved by the federal Food and Drug Administration  
196 for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and  
197 Drug Administration approved package, with the federal Food and Drug Administration  
198 approved labeling information;

199 (b) Statements made by an owner or by anyone else in control of the substance  
200 concerning the nature of the substance, or its use or effect;

201 (c) Whether the substance is packaged in a manner normally used for illicit controlled  
202 substances;

203 (d) Prior convictions, if any, of an owner, or anyone in control of the object, under state  
204 or federal law related to controlled substances or fraud;

205 (e) The proximity of the substances to controlled substances;

206 (f) Whether the consideration tendered in exchange for the noncontrolled substance  
207 substantially exceeds the reasonable value of the substance considering the actual chemical  
208 composition of the substance and, where applicable, the price at which over-the-counter  
209 substances of like chemical composition sell. An imitation controlled substance does not include  
210 a placebo or registered investigational drug either of which was manufactured, distributed,  
211 possessed or delivered in the ordinary course of professional practice or research;

212 ~~[(22)]~~ (23) "Industrial hemp":

213 (a) **All nonseed parts and varieties of the Cannabis sativa L. plant, growing or not,**  
214 **that contain an average delta-9 tetrahydrocannabinol (THC) concentration that does not**  
215 **exceed three-tenths of one percent on a dry weight basis or the maximum concentration**  
216 **allowed under federal law, whichever is greater;**

217 (b) **Any Cannabis sativa L. seed that is part of a growing crop, retained by a**  
218 **grower for future planting, or used for processing into or use as agricultural hemp seed;**

219 (c) **"Industrial hemp" includes industrial hemp commodities and products and**  
220 **topical or ingestible animal and consumer products derived from industrial hemp with a**  
221 **delta-9 tetrahydrocannabinol (THC) concentration of not more than three-tenths of one**  
222 **percent on a dry weight basis;**

223 (24) "Laboratory", a laboratory approved by the department of health and senior services  
224 as proper to be entrusted with the custody of controlled substances but does not include a  
225 pharmacist who compounds controlled substances to be sold or dispensed on prescriptions;

226 ~~[(23)]~~ (25) "Manufacture", the production, preparation, propagation, compounding or  
227 processing of drug paraphernalia or of a controlled substance, or an imitation controlled

228 substance, either directly or by extraction from substances of natural origin, or independently by  
229 means of chemical synthesis, or by a combination of extraction and chemical synthesis, and  
230 includes any packaging or repackaging of the substance or labeling or relabeling of its container.  
231 This term does not include the preparation or compounding of a controlled substance or an  
232 imitation controlled substance or the preparation, compounding, packaging or labeling of a  
233 narcotic or dangerous drug:

234 (a) By a practitioner as an incident to his or her administering or dispensing of a  
235 controlled substance or an imitation controlled substance in the course of his or her professional  
236 practice, or

237 (b) By a practitioner or his or her authorized agent under his or her supervision, for the  
238 purpose of, or as an incident to, research, teaching or chemical analysis and not for sale;

239 [(24)] (26) "Marijuana", all parts of the plant genus *Cannabis* in any species or form  
240 thereof, including, but not limited to *Cannabis Sativa* L., **except industrial hemp**, *Cannabis*  
241 *Indica*, *Cannabis Americana*, *Cannabis Ruderalis*, and *Cannabis Gigantea*, whether growing or  
242 not, the seeds thereof, the resin extracted from any part of the plant; and every compound,  
243 manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not  
244 include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the  
245 seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of  
246 the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed  
247 of the plant which is incapable of germination;

248 [(25)] (27) "Methamphetamine precursor drug", any drug containing ephedrine,  
249 pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical  
250 isomers;

251 [(26)] (28) "Narcotic drug", any of the following, whether produced directly or indirectly  
252 by extraction from substances of vegetable origin, or independently by means of chemical  
253 synthesis, or by a combination of extraction and chemical analysis:

254 (a) Opium, opiate, and any derivative, of opium or opiate, including their isomers, esters,  
255 ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers,  
256 esters, ethers, and salts is possible within the specific chemical designation. The term does not  
257 include the isoquinoline alkaloids of opium;

258 (b) Coca leaves, but not including extracts of coca leaves from which cocaine, ecgonine,  
259 and derivatives of ecgonine or their salts have been removed;

260 (c) Cocaine or any salt, isomer, or salt of isomer thereof;

261 (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

262 (e) Any compound, mixture, or preparation containing any quantity of any substance  
263 referred to in paragraphs (a) to (d) of this subdivision;

264           ~~[(27)]~~ **(29)** "Official written order", an order written on a form provided for that purpose  
265 by the United States Commissioner of Narcotics, under any laws of the United States making  
266 provision therefor, if such order forms are authorized and required by federal law, and if no such  
267 order form is provided, then on an official form provided for that purpose by the department of  
268 health and senior services;

269           ~~[(28)]~~ **(30)** "Opiate", any substance having an addiction-forming or addiction-sustaining  
270 liability similar to morphine or being capable of conversion into a drug having addiction-forming  
271 or addiction-sustaining liability. The term includes its racemic and levorotatory forms. It does  
272 not include, unless specifically controlled under section 195.017, the dextrorotatory isomer of  
273 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

274           ~~[(29)]~~ **(31)** "Opium poppy", the plant of the species *Papaver somniferum* L., except its  
275 seeds;

276           ~~[(30)]~~ **(32)** "Over-the-counter sale", a retail sale licensed pursuant to chapter 144 of a  
277 drug other than a controlled substance;

278           ~~[(31)]~~ **(33)** "Person", an individual, corporation, government or governmental  
279 subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any  
280 other legal or commercial entity;

281           ~~[(32)]~~ **(34)** "Pharmacist", a licensed pharmacist as defined by the laws of this state, and  
282 where the context so requires, the owner of a store or other place of business where controlled  
283 substances are compounded or dispensed by a licensed pharmacist; but nothing in this chapter  
284 shall be construed as conferring on a person who is not registered nor licensed as a pharmacist  
285 any authority, right or privilege that is not granted to him by the pharmacy laws of this state;

286           ~~[(33)]~~ **(35)** "Poppy straw", all parts, except the seeds, of the opium poppy, after mowing;

287           ~~[(34)]~~ **(36)** "Possessed" or "possessing a controlled substance", a person, with the  
288 knowledge of the presence and nature of a substance, has actual or constructive possession of  
289 the substance. A person has actual possession if he has the substance on his or her person or  
290 within easy reach and convenient control. A person who, although not in actual possession, has  
291 the power and the intention at a given time to exercise dominion or control over the substance  
292 either directly or through another person or persons is in constructive possession of it.  
293 Possession may also be sole or joint. If one person alone has possession of a substance  
294 possession is sole. If two or more persons share possession of a substance, possession is joint;

295           ~~[(35)]~~ **(37)** "Practitioner", a physician, dentist, optometrist, podiatrist, veterinarian,  
296 scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise  
297 permitted by this state to distribute, dispense, conduct research with respect to or administer or  
298 to use in teaching or chemical analysis, a controlled substance in the course of professional  
299 practice or research in this state, or a pharmacy, hospital or other institution licensed, registered,

300 or otherwise permitted to distribute, dispense, conduct research with respect to or administer a  
301 controlled substance in the course of professional practice or research;

302 ~~[(36)]~~ **(38)** "Production", includes the manufacture, planting, cultivation, growing, or  
303 harvesting of drug paraphernalia or of a controlled substance or an imitation controlled  
304 substance;

305 ~~[(37)]~~ **(39)** "Registry number", the number assigned to each person registered under the  
306 federal controlled substances laws;

307 ~~[(38)]~~ **(40)** "Sale", includes barter, exchange, or gift, or offer therefor, and each such  
308 transaction made by any person, whether as principal, proprietor, agent, servant or employee;

309 ~~[(39)]~~ **(41)** "State" when applied to a part of the United States, includes any state, district,  
310 commonwealth, territory, insular possession thereof, and any area subject to the legal authority  
311 of the United States of America;

312 ~~[(40)]~~ **(42)** "Synthetic cannabinoid", includes unless specifically excepted or unless listed  
313 in another schedule, any natural or synthetic material, compound, mixture, or preparation that  
314 contains any quantity of a substance that is a cannabinoid receptor agonist, including but not  
315 limited to any substance listed in paragraph (II) of subdivision (4) of subsection 2 of section  
316 195.017 and any analogues; homologues; isomers, whether optical, positional, or geometric;  
317 esters; ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of the  
318 isomers, esters, ethers, or salts is possible within the specific chemical designation, however, it  
319 shall not include any approved pharmaceutical authorized by the United States Food and Drug  
320 Administration;

321 ~~[(41)]~~ **(43)** "Ultimate user", a person who lawfully possesses a controlled substance or  
322 an imitation controlled substance for his or her own use or for the use of a member of his or her  
323 household or immediate family, regardless of whether they live in the same household, or for  
324 administering to an animal owned by him or by a member of his or her household. For purposes  
325 of this section, the phrase "immediate family" means a husband, wife, parent, child, sibling,  
326 stepparent, stepchild, stepbrother, stepsister, grandparent, or grandchild;

327 ~~[(42)]~~ **(44)** "Wholesaler", a person who supplies drug paraphernalia or controlled  
328 substances or imitation controlled substances that he himself has not produced or prepared, on  
329 official written orders, but not on prescriptions.

195.017. 1. The department of health and senior services shall place a substance in  
2 Schedule I if it finds that the substance:

3 (1) Has high potential for abuse; and

4 (2) Has no accepted medical use in treatment in the United States or lacks accepted  
5 safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in Schedule I;

8 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts  
9 of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these  
10 isomers, esters, ethers and salts is possible within the specific chemical designation:

- 11 (a) Acetyl-alpha-methylfentanyl;
- 12 (b) Acetylmethadol;
- 13 (c) Allylprodine;
- 14 (d) Alphacetylmethadol;
- 15 (e) Alphameprodine;
- 16 (f) Alphamethadol;
- 17 (g) Alpha-methylfentanyl;
- 18 (h) Alpha-methylthiofentanyl;
- 19 (i) Benzethidine;
- 20 (j) Betacetylmethadol;
- 21 (k) Beta-hydroxyfentanyl;
- 22 (l) Beta-hydroxy-3-methylfentanyl;
- 23 (m) Betameprodine;
- 24 (n) Betamethadol;
- 25 (o) Betaprodine;
- 26 (p) Clonitazene;
- 27 (q) Dextromoramide;
- 28 (r) Diampromide;
- 29 (s) Diethylthiambutene;
- 30 (t) Difenoxyin;
- 31 (u) Dimenoxadol;
- 32 (v) Dimepheptanol;
- 33 (w) Dimethylthiambutene;
- 34 (x) Dioxaphetyl butyrate;
- 35 (y) Dipipanone;
- 36 (z) Ethylmethylthiambutene;
- 37 (aa) Etonitazene;
- 38 (bb) Etoxadine;
- 39 (cc) Furethidine;
- 40 (dd) Hydroxypethidine;
- 41 (ee) Ketobemidone;
- 42 (ff) Levomoramide;

- 43 (gg) Levophenacymorphan;
- 44 (hh) 3-Methylfentanyl;
- 45 (ii) 3-Methylthiofentanyl;
- 46 (jj) Morpheridine;
- 47 (kk) MPPP;
- 48 (ll) Noracymethadol;
- 49 (mm) Norlevorphanol;
- 50 (nn) Normethadone;
- 51 (oo) Norpipanone;
- 52 (pp) Para-fluorofentanyl;
- 53 (qq) PEPAP;
- 54 (rr) Phenadoxone;
- 55 (ss) Phenampromide;
- 56 (tt) Phenomorphan;
- 57 (uu) Phenoperidine;
- 58 (vv) Piritramide;
- 59 (ww) Proheptazine;
- 60 (xx) Properidine;
- 61 (yy) Propiram;
- 62 (zz) Racemoramide;
- 63 (aaa) Thiofentanyl;
- 64 (bbb) Tilidine;
- 65 (ccc) Trimeperidine;
- 66 (3) Any of the following opium derivatives, their salts, isomers and salts of isomers
- 67 unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers
- 68 is possible within the specific chemical designation:
  - 69 (a) Acetorphine;
  - 70 (b) Acetyldihydrocodeine;
  - 71 (c) Benzylmorphine;
  - 72 (d) Codeine methylbromide;
  - 73 (e) Codeine-N-Oxide;
  - 74 (f) Cyprenorphine;
  - 75 (g) Desomorphine;
  - 76 (h) Dihydromorphine;
  - 77 (i) Drotebanol;
  - 78 (j) Etorphine (except hydrochloride salt);

- 79 (k) Heroin;
- 80 (l) Hydromorphenol;
- 81 (m) Methyldesorphine;
- 82 (n) Methyldihydromorphine;
- 83 (o) Morphine methylbromide;
- 84 (p) Morphine methylsulfonate;
- 85 (q) Morphine-N-Oxide;
- 86 (r) Myrophine;
- 87 (s) Nicocodeine;
- 88 (t) Nicomorphine;
- 89 (u) Normorphine;
- 90 (v) Pholcodine;
- 91 (w) Thebacon;
- 92 (4) Any material, compound, mixture or preparation which contains any quantity of the
- 93 following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically
- 94 excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within
- 95 the specific chemical designation:
- 96 (a) 4-bromo-2, 5-dimethoxyamphetamine;
- 97 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- 98 (c) 2,5-dimethoxyamphetamine;
- 99 (d) 2,5-dimethoxy-4-ethylamphetamine;
- 100 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 101 (f) 4-methoxyamphetamine;
- 102 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 103 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 104 (i) 3,4-methylenedioxyamphetamine;
- 105 (j) 3,4-methylenedioxymethamphetamine;
- 106 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 107 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 108 (m) 3,4,5-trimethoxyamphetamine;
- 109 (n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts of
- 110 isomers;
- 111 (o) Alpha-ethyltryptamine;
- 112 (p) Alpha-methyltryptamine;
- 113 (q) Bufotenine;
- 114 (r) Diethyltryptamine;

- 115 (s) Dimethyltryptamine;
- 116 (t) 5-methoxy-N,N-diisopropyltryptamine;
- 117 (u) Ibogaine;
- 118 (v) Lysergic acid diethylamide;
- 119 (w) Marijuana or marihuana, **except industrial hemp**;
- 120 (x) Mescaline;
- 121 (y) Parahexyl;
- 122 (z) Peyote, to include all parts of the plant presently classified botanically as Lophophora
- 123 Williamsil Lemaire, whether growing or not; the seeds thereof; any extract from any part of such
- 124 plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant,
- 125 its seed or extracts;
- 126 (aa) N-ethyl-3-piperidyl benzilate;
- 127 (bb) N-methyl-3-piperidyl benzilate;
- 128 (cc) Psilocybin;
- 129 (dd) Psilocyn;
- 130 (ee) Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
- 131 (cannabis plant), **except industrial hemp**, as well as synthetic equivalents of the substances
- 132 contained in the cannabis plant, or in the resinous extractives of such plant, or synthetic
- 133 substances, derivatives, and their isomers with similar chemical structure and pharmacological
- 134 activity to those substances contained in the plant, such as the following:
- 135 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 136 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 137 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 138 d. Any compounds of these structures, regardless of numerical designation of atomic
- 139 positions covered;
- 140 (ff) Ethylamine analog of phencyclidine;
- 141 (gg) Pyrrolidine analog of phencyclidine;
- 142 (hh) Thiophene analog of phencyclidine;
- 143 (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 144 (jj) Salvia divinorum;
- 145 (kk) Salvinorin A;
- 146 (ll) Synthetic cannabinoids:
- 147 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 148 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by
- 149 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl
- 150 or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any

151 extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited  
152 to:

- 153 (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
- 154 (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
- 155 (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
- 156 (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
- 157 (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
- 158 (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
- 159 (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
- 160 (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
- 161 (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
- 162 (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
- 163 (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
- 164 (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

165 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the  
166 nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
167 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or not further  
168 substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any  
169 extent;

170 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution  
171 at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
172 cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or  
173 not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl  
174 ring to any extent;

175 d. Any compound structurally derived from 3-phenylacetylindole by substitution at the  
176 nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
177 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or not further  
178 substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any  
179 extent. Including, but not limited to:

- 180 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
- 181 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
- 182 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
- 183 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
- 184 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

185 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by  
186 substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,

187 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or  
188 not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

189 (i) CP 47, 497 & homologues, or  
190 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and  
191 homologues where side chain n=4,6, or 7;

192 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the  
193 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
194 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further  
195 substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to  
196 any extent. Including, but not limited to:

197 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;

198 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;

199 g. CP 50, 556-1, or  
200 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]  
201 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

202 h. HU-210, or  
203 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10  
204 a-tetrahydrobenzo[c]chromen-1-ol;

205 i. HU-211, or  
206 Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl  
207 )-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

208 j. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]  
209 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

210 k. Dimethylheptylpyran, or DMHP;

211 (5) Any material, compound, mixture or preparation containing any quantity of the  
212 following substances having a depressant effect on the central nervous system, including their  
213 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of  
214 isomers is possible within the specific chemical designation:

215 (a) Gamma-hydroxybutyric acid;

216 (b) Mecloqualone;

217 (c) Methaqualone;

218 (6) Any material, compound, mixture or preparation containing any quantity of the  
219 following substances having a stimulant effect on the central nervous system, including their  
220 salts, isomers and salts of isomers:

221 (a) Aminorex;

222 (b) N-benzylpiperazine;

- 223 (c) Cathinone;
- 224 (d) Fenethylamine;
- 225 (e) 3-Fluoromethcathinone;
- 226 (f) 4-Fluoromethcathinone;
- 227 (g) Mephedrone, or 4-methylmethcathinone;
- 228 (h) Methcathinone;
- 229 (i) 4-methoxymethcathinone;
- 230 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 231 (k) M e t h y l e n e d i o x y p y r o v a l e r o n e , M D P V , o r
- 232 (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone);
- 233 (l) Methylone, or 3,4-Methylenedioxymethcathinone;
- 234 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
- 235 (n) N-ethylamphetamine;
- 236 (o) N,N-dimethylamphetamine;
- 237 (7) A temporary listing of substances subject to emergency scheduling under federal law
- 238 shall include any material, compound, mixture or preparation which contains any quantity of the
- 239 following substances:
- 240 (a) N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its optical isomers,
- 241 salts and salts of isomers;
- 242 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its
- 243 optical isomers, salts and salts of isomers;
- 244 (8) Khat, to include all parts of the plant presently classified botanically as *catha edulis*,
- 245 whether growing or not; the seeds thereof; any extract from any part of such plant; and every
- 246 compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.
- 247 3. The department of health and senior services shall place a substance in Schedule II
- 248 if it finds that:
- 249 (1) The substance has high potential for abuse;
- 250 (2) The substance has currently accepted medical use in treatment in the United States,
- 251 or currently accepted medical use with severe restrictions; and
- 252 (3) The abuse of the substance may lead to severe psychic or physical dependence.
- 253 4. The controlled substances listed in this subsection are included in Schedule II:
- 254 (1) Any of the following substances whether produced directly or indirectly by extraction
- 255 from substances of vegetable origin, or independently by means of chemical synthesis, or by
- 256 combination of extraction and chemical synthesis:

- 257 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or  
258 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine,  
259 nalmeferene, naloxone and naltrexone, and their respective salts but including the following:
- 260 a. Raw opium;
  - 261 b. Opium extracts;
  - 262 c. Opium fluid;
  - 263 d. Powdered opium;
  - 264 e. Granulated opium;
  - 265 f. Tincture of opium;
  - 266 g. Codeine;
  - 267 h. Ethylmorphine;
  - 268 i. Etorphine hydrochloride;
  - 269 j. Hydrocodone;
  - 270 k. Hydromorphone;
  - 271 l. Metopon;
  - 272 m. Morphine;
  - 273 n. Oxycodone;
  - 274 o. Oxymorphone;
  - 275 p. Thebaine;
- 276 (b) Any salt, compound, derivative, or preparation thereof which is chemically  
277 equivalent or identical with any of the substances referred to in this subdivision, but not  
278 including the isoquinoline alkaloids of opium;
- 279 (c) Opium poppy and poppy straw;
- 280 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and  
281 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical  
282 with any of these substances, but not including decocainized coca leaves or extractions which  
283 do not contain cocaine or ecgonine;
- 284 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid  
285 or powder form which contains the phenanthrene alkaloids of the opium poppy);
- 286 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts  
287 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within  
288 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
- 289 (a) Alfentanil;
  - 290 (b) Alphaprodine;
  - 291 (c) Anileridine;
  - 292 (d) Bezitramide;

- 293 (e) Bulk dextropropoxyphene;  
294 (f) Carfentanil;  
295 (g) Dihydrocodeine;  
296 (h) Diphenoxylate;  
297 (i) Fentanyl;  
298 (j) Isomethadone;  
299 (k) Levo-alphaacetylmethadol;  
300 (l) Levomethorphan;  
301 (m) Levorphanol;  
302 (n) Metazocine;  
303 (o) Methadone;  
304 (p) Meperidine;  
305 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;  
306 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic  
307 acid;  
308 (s) Pethidine (meperidine);  
309 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;  
310 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;  
311 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;  
312 (w) Phenazocine;  
313 (x) Piminodine;  
314 (y) Racemethorphan;  
315 (z) Racemorphan;  
316 (aa) Remifentanil;  
317 (bb) Sufentanil;  
318 (cc) Tapentadol;  
319 (3) Any material, compound, mixture, or preparation which contains any quantity of the  
320 following substances having a stimulant effect on the central nervous system:  
321 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;  
322 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;  
323 (c) Methamphetamine, its salts, isomers, and salts of its isomers;  
324 (d) Phenmetrazine and its salts;  
325 (e) Methylphenidate;  
326 (4) Any material, compound, mixture, or preparation which contains any quantity of the  
327 following substances having a depressant effect on the central nervous system, including its salts,

328 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers  
329 is possible within the specific chemical designation:

330 (a) Amobarbital;

331 (b) Glutethimide;

332 (c) Pentobarbital;

333 (d) Phencyclidine;

334 (e) Secobarbital;

335 (5) Any material or compound which contains any quantity of nabilone;

336 (6) Any material, compound, mixture, or preparation which contains any quantity of the  
337 following substances:

338 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;

339 (b) Immediate precursors to phencyclidine (PCP):

340 a. 1-phenylcyclohexylamine;

341 b. 1-piperidinocyclohexanecarbonitrile (PCC);

342 (7) Any material, compound, mixture, or preparation which contains any quantity of the  
343 following alkyl nitrites:

344 (a) Amyl nitrite;

345 (b) Butyl nitrite.

346 5. The department of health and senior services shall place a substance in Schedule III  
347 if it finds that:

348 (1) The substance has a potential for abuse less than the substances listed in Schedules  
349 I and II;

350 (2) The substance has currently accepted medical use in treatment in the United States;  
351 and

352 (3) Abuse of the substance may lead to moderate or low physical dependence or high  
353 psychological dependence.

354 6. The controlled substances listed in this subsection are included in Schedule III:

355 (1) Any material, compound, mixture, or preparation which contains any quantity of the  
356 following substances having a potential for abuse associated with a stimulant effect on the  
357 central nervous system:

358 (a) Benzphetamine;

359 (b) Chlorphentermine;

360 (c) Clortermine;

361 (d) Phendimetrazine;

362 (2) Any material, compound, mixture or preparation which contains any quantity or salt  
363 of the following substances or salts having a depressant effect on the central nervous system:

- 364 (a) Any material, compound, mixture or preparation which contains any quantity or salt  
365 of the following substances combined with one or more active medicinal ingredients:
- 366 a. Amobarbital;  
367 b. Secobarbital;  
368 c. Pentobarbital;
- 369 (b) Any suppository dosage form containing any quantity or salt of the following:
- 370 a. Amobarbital;  
371 b. Secobarbital;  
372 c. Pentobarbital;
- 373 (c) Any substance which contains any quantity of a derivative of barbituric acid or its  
374 salt;
- 375 (d) Chlorhexadol;  
376 (e) Embutramide;  
377 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in  
378 a drug product for which an application has been approved under Section 505 of the federal  
379 Food, Drug, and Cosmetic Act;
- 380 (g) Ketamine, its salts, isomers, and salts of isomers;  
381 (h) Lysergic acid;  
382 (i) Lysergic acid amide;  
383 (j) Methyprylon;  
384 (k) Sulfondiethylmethane;  
385 (l) Sulfonethylmethane;  
386 (m) Sulfonmethane;  
387 (n) Tiletamine and zolazepam or any salt thereof;
- 388 (3) Nalorphine;
- 389 (4) Any material, compound, mixture, or preparation containing limited quantities of any  
390 of the following narcotic drugs or their salts:
- 391 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than  
392 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid  
393 of opium;
- 394 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than  
395 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized  
396 therapeutic amounts;
- 397 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters  
398 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an  
399 isoquinoline alkaloid of opium;

400 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters  
401 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic  
402 ingredients in recognized therapeutic amounts;

403 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more  
404 than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in  
405 recognized therapeutic amounts;

406 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters  
407 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic  
408 ingredients in recognized therapeutic amounts;

409 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per  
410 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more  
411 active nonnarcotic ingredients in recognized therapeutic amounts;

412 (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one  
413 hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic  
414 amounts;

415 (5) Any material, compound, mixture, or preparation containing any of the following  
416 narcotic drugs or their salts, as set forth in subdivision (6) of this subsection; buprenorphine;

417 (6) Anabolic steroids. Any drug or hormonal substance, chemically and  
418 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and  
419 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is  
420 expressly intended for administration through implants to cattle or other nonhuman species and  
421 which has been approved by the Secretary of Health and Human Services for that administration.  
422 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall  
423 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the  
424 meaning of this subdivision. Unless specifically excepted or unless listed in another schedule,  
425 any material, compound, mixture or preparation containing any quantity of the following  
426 substances, including its salts, esters and ethers:

427 (a) 3 $\beta$ ,17-dihydroxy-5 $\alpha$ -androstane;

428 (b) 3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane;

429 (c) 5 $\alpha$ -androstan-3,17-dione;

430 (d) 1-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);

431 (e) 1-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);

432 (f) 4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-androst-4-ene);

433 (g) 5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-androst-5-ene);

434 (h) 1-androstenedione ([5 $\alpha$ ]-androst-1-en-3,17-dione);

435 (i) 4-androstenedione (androst-4-en-3,17-dione);

- 436 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 437 (k) Bolasterone (7a, 17a-dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);
- 438 (l) Boldenone (17 $\beta$ -hydroxyandrost-1,4,-diene-3-one);
- 439 (m) Boldione;
- 440 (n) Calusterone (7 $\beta$ , 17a-dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);
- 441 (o) Clostebol (4-chloro-17 $\beta$ -hydroxyandrost-4-en-3-one);
- 442 ( p ) D e h y d r o c h l o r o m e t h y l t e s t o s t e r o n e
- 443 (4-chloro-17 $\beta$ -hydroxy-17a-methyl-androst-1,4-dien-3-one);
- 444 (q) Desoxymethyltestosterone;
- 445 (r)  $\Delta$ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 $\beta$ -hydroxy-5a-androst-1-en-3-one);
- 446 (s) 4-dihydrotestosterone (17 $\beta$ -hydroxy-androstan-3-one);
- 447 (t) Drostanolone (17 $\beta$ -hydroxy-2a-methyl-5a-androstan-3-one);
- 448 (u) Ethylestrenol (17a-ethyl-17 $\beta$ -hydroxyestr-4-ene);
- 449 (v) Fluoxymesterone (9-fluoro-17a-methyl-11 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-en-3-one);
- 450 (w) Formebolone (2-formyl-17a-methyl-11a,17 $\beta$ -dihydroxyandrost-1,4-dien-3-one);
- 451 (x) Furazabol (17a-methyl-17 $\beta$ -hydroxyandrostano[2,3-c]-furazan);
- 452 (y) 13 $\beta$ -ethyl-17 $\beta$ -hydroxygon-4-en-3-one;
- 453 (z) 4-hydroxytestosterone (4,17 $\beta$ -dihydroxy-androst-4-en-3-one);
- 454 (aa) 4-hydroxy-19-nortestosterone (4,17 $\beta$ -dihydroxy-estr-4-en-3-one);
- 455 (bb) Mestanolone (17a-methyl-17 $\beta$ -hydroxy-5-androstan-3-one);
- 456 (cc) Mesterolone (1a-methyl-17 $\beta$ -hydroxy-[5a]-androstan-3-one);
- 457 (dd) Methandienone (17a-methyl-17 $\beta$ -hydroxyandrost-1,4-dien-3-one);
- 458 (ee) Methandriol (17a-methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-5-ene);
- 459 (ff) Methenolone (1-methyl-17 $\beta$ -hydroxy-5a-androst-1-en-3-one);
- 460 (gg) 17a-methyl-3 $\beta$ ,17 $\beta$ -dihydroxy-5a-androstane);
- 461 (hh) 17a-methyl-3a,17 $\beta$ -dihydroxy-5a-androstane);
- 462 (ii) 17a-methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-ene;
- 463 ( j j ) 1 7 a - m e t h y l - 4 - h y d r o x y n a n d r o l o n e
- 464 (17a-methyl-4-hydroxy-17 $\beta$ -hydroxyestr-4-en-3-one);
- 465 (kk) Methyldienolone (17a-methyl-17 $\beta$ -hydroxyestra-4,9(10)-dien-3-one);
- 466 (ll) Methyltrienolone (17a-methyl-17 $\beta$ -hydroxyestra-4,9-11-trien-3-one);
- 467 (mm) Methyltestosterone (17a-methyl-17 $\beta$ -hydroxyandrost-4-en-3-one);
- 468 (nn) Mibolerone (7a,17a-dimethyl-17 $\beta$ -hydroxyestr-4-en-3-one);
- 469 ( o o ) 1 7 a - m e t h y l -  $\Delta$  1 - d i h y d r o t e s t o s t e r o n e
- 470 (17 $\beta$ -hydroxy-17a-methyl-5a-androst-1-en-3-one) (a.k.a. '17-a-methyl-1-testosterone');
- 471 (pp) Nandrolone (17 $\beta$ -hydroxyestr-4-ene-3-one);

- 472 (qq) 19-nor-4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-4-ene);  
 473 (rr) 19-nor-4-androstenediol (3a,17 $\beta$ -dihydroxyestr-4-ene);  
 474 (ss) 19-nor-4,9(10)-androstadienedione;  
 475 (tt) 19-nor-5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-5-ene);  
 476 (uu) 19-nor-5-androstenediol (3a,17 $\beta$ -dihydroxyestr-5-ene);  
 477 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);  
 478 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);  
 479 (xx) Norbolethone (13 $\beta$ ,17a-diethyl-17 $\beta$ -hydroxygon-4-en-3-one);  
 480 (yy) Norclostebol (4-chloro-17 $\beta$ -hydroxyestr-4-en-3-one);  
 481 (zz) Norethandrolone (17a-ethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
 482 (aaa) Normethandrolone (17a-methyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
 483 (bbb) Oxandrolone (17a-methyl-17 $\beta$ -hydroxy-2-oxa-[5a]-androstan-3-one);  
 484 (ccc) Oxymesterone (17a-methyl-4,17 $\beta$ -dihydroxyandrost-4-en-3-one);  
 485 ( d d d ) O x y m e t h a l o n e  
 486 (17a-methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-[5a]-androstan-3-one);  
 487 (eee) Stanozolol (17a-methyl-17 $\beta$ -hydroxy-[5a]-androst-2-eno[3,2-c]-pyrazole);  
 488 (fff) Stenbolone (17 $\beta$ -hydroxy-2-methyl-[5a]-androst-1-en-3-one);  
 489 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);  
 490 (hhh) Testosterone (17 $\beta$ -hydroxyandrost-4-en-3-one);  
 491 (iii) Tetrahydrogestrinone (13 $\beta$ ,17a-diethyl-17 $\beta$ -hydroxygon-4,9,11-trien-3-one);  
 492 (jjj) Trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-3-one);  
 493 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this  
 494 subdivision, except an anabolic steroid which is expressly intended for administration through  
 495 implants to cattle or other nonhuman species and which has been approved by the Secretary of  
 496 Health and Human Services for that administration;  
 497 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a  
 498 United States Food and Drug Administration approved drug product;  
 499 (8) The department of health and senior services may except by rule any compound,  
 500 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions  
 501 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to  
 502 195.320 if the compound, mixture, or preparation contains one or more active medicinal  
 503 ingredients not having a stimulant or depressant effect on the central nervous system, and if the  
 504 admixtures are included therein in combinations, quantity, proportion, or concentration that  
 505 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on  
 506 the central nervous system.

507 7. The department of health and senior services shall place a substance in Schedule IV  
508 if it finds that:

509 (1) The substance has a low potential for abuse relative to substances in Schedule III;

510 (2) The substance has currently accepted medical use in treatment in the United States;

511 and

512 (3) Abuse of the substance may lead to limited physical dependence or psychological  
513 dependence relative to the substances in Schedule III.

514 8. The controlled substances listed in this subsection are included in Schedule IV:

515 (1) Any material, compound, mixture, or preparation containing any of the following  
516 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities  
517 as set forth below:

518 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms  
519 of atropine sulfate per dosage unit;

520 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,  
521 2-diphenyl-3-methyl-2-propionoxybutane);

522 (c) Any of the following limited quantities of narcotic drugs or their salts, which shall  
523 include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer  
524 upon the compound, mixture or preparation valuable medicinal qualities other than those  
525 possessed by the narcotic drug alone:

526 a. Not more than two hundred milligrams of codeine per one hundred milliliters or per  
527 one hundred grams;

528 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters  
529 or per one hundred grams;

530 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters  
531 or per one hundred grams;

532 (2) Any material, compound, mixture or preparation containing any quantity of the  
533 following substances, including their salts, isomers, and salts of isomers whenever the existence  
534 of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

535 (a) Alprazolam;

536 (b) Barbitol;

537 (c) Bromazepam;

538 (d) Camazepam;

539 (e) Chloral betaine;

540 (f) Chloral hydrate;

541 (g) Chlordiazepoxide;

542 (h) Clobazam;

- 543 (i) Clonazepam;
- 544 (j) Clorazepate;
- 545 (k) Clotiazepam;
- 546 (l) Cloxazolam;
- 547 (m) Delorazepam;
- 548 (n) Diazepam;
- 549 (o) Dichloralphenazone;
- 550 (p) Estazolam;
- 551 (q) Ethchlorvynol;
- 552 (r) Ethinamate;
- 553 (s) Ethyl loflazepate;
- 554 (t) Fludiazepam;
- 555 (u) Flunitrazepam;
- 556 (v) Flurazepam;
- 557 (w) Fospropofol;
- 558 (x) Halazepam;
- 559 (y) Haloxazolam;
- 560 (z) Ketazolam;
- 561 (aa) Loprazolam;
- 562 (bb) Lorazepam;
- 563 (cc) Lormetazepam;
- 564 (dd) Mebutamate;
- 565 (ee) Medazepam;
- 566 (ff) Meprobamate;
- 567 (gg) Methohexital;
- 568 (hh) Methylphenobarbital (mephobarbital);
- 569 (ii) Midazolam;
- 570 (jj) Nimetazepam;
- 571 (kk) Nitrazepam;
- 572 (ll) Nordiazepam;
- 573 (mm) Oxazepam;
- 574 (nn) Oxazolam;
- 575 (oo) Paraldehyde;
- 576 (pp) Petrichloral;
- 577 (qq) Phenobarbital;
- 578 (rr) Pinazepam;

- 579 (ss) Prazepam;  
580 (tt) Quazepam;  
581 (uu) Temazepam;  
582 (vv) Tetrazepam;  
583 (ww) Triazolam;  
584 (xx) Zaleplon;  
585 (yy) Zolpidem;  
586 (zz) Zopiclone;
- 587 (3) Any material, compound, mixture, or preparation which contains any quantity of the  
588 following substance including its salts, isomers and salts of isomers whenever the existence of  
589 such salts, isomers and salts of isomers is possible: fenfluramine;
- 590 (4) Any material, compound, mixture or preparation containing any quantity of the  
591 following substances having a stimulant effect on the central nervous system, including their  
592 salts, isomers and salts of isomers:
- 593 (a) Cathine ((+)-norpseudoephedrine);  
594 (b) Diethylpropion;  
595 (c) Fencamfamin;  
596 (d) Fenproporex;  
597 (e) Mazindol;  
598 (f) Mefenorex;  
599 (g) Modafinil;  
600 (h) Pemoline, including organometallic complexes and chelates thereof;  
601 (i) Phentermine;  
602 (j) Pipradrol;  
603 (k) Sibutramine;  
604 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 605 (5) Any material, compound, mixture or preparation containing any quantity of the  
606 following substance, including its salts:
- 607 (a) butorphanol;  
608 (b) pentazocine;
- 609 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance  
610 is the only active medicinal ingredient;
- 611 (7) The department of health and senior services may except by rule any compound,  
612 mixture, or preparation containing any depressant substance listed in subdivision (1) of this  
613 subsection from the application of all or any part of sections 195.010 to 195.320 and sections  
614 579.015 to 579.086 if the compound, mixture, or preparation contains one or more active

615 medicinal ingredients not having a depressant effect on the central nervous system, and if the  
616 admixtures are included therein in combinations, quantity, proportion, or concentration that  
617 vitiate the potential for abuse of the substances which have a depressant effect on the central  
618 nervous system.

619 9. The department of health and senior services shall place a substance in Schedule V  
620 if it finds that:

621 (1) The substance has low potential for abuse relative to the controlled substances listed  
622 in Schedule IV;

623 (2) The substance has currently accepted medical use in treatment in the United States;  
624 and

625 (3) The substance has limited physical dependence or psychological dependence liability  
626 relative to the controlled substances listed in Schedule IV.

627 10. The controlled substances listed in this subsection are included in Schedule V:

628 (1) Any compound, mixture or preparation containing any of the following narcotic  
629 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set  
630 forth below, which also contains one or more nonnarcotic active medicinal ingredients in  
631 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal  
632 qualities other than those possessed by the narcotic drug alone:

633 (a) Not more than two and five-tenths milligrams of diphenoxylate and not less than  
634 twenty-five micrograms of atropine sulfate per dosage unit;

635 (b) Not more than one hundred milligrams of opium per one hundred milliliters or per  
636 one hundred grams;

637 (c) Not more than five-tenths milligram of difenoxin and not less than twenty-five  
638 micrograms of atropine sulfate per dosage unit;

639 (2) Any material, compound, mixture or preparation which contains any quantity of the  
640 following substance having a stimulant effect on the central nervous system including its salts,  
641 isomers and salts of isomers: pyrovalerone;

642 (3) Any compound, mixture, or preparation containing any detectable quantity of  
643 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,  
644 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical  
645 isomers, or salts of optical isomers;

646 (4) Unless specifically exempted or excluded or unless listed in another schedule, any  
647 material, compound, mixture, or preparation which contains any quantity of the following  
648 substances having a depressant effect on the central nervous system, including its salts:

649 (a) Lacosamide;

650 (b) Pregabalin.

651 11. If any compound, mixture, or preparation as specified in subdivision (3) of  
652 subsection 10 of this section is dispensed, sold, or distributed in a pharmacy without a  
653 prescription:

654 (1) All packages of any compound, mixture, or preparation containing any detectable  
655 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine,  
656 its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind  
657 a pharmacy counter where the public is not permitted, and only by a registered pharmacist or  
658 registered pharmacy technician; and

659 (2) Any person purchasing, receiving or otherwise acquiring any compound, mixture,  
660 or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers,  
661 or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers  
662 shall be at least eighteen years of age; and

663 (3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require  
664 any person, prior to such person's purchasing, receiving or otherwise acquiring such compound,  
665 mixture, or preparation to furnish suitable photo identification that is issued by a state or the  
666 federal government or a document that, with respect to identification, is considered acceptable  
667 and showing the date of birth of the person;

668 (4) The seller shall deliver the product directly into the custody of the purchaser.

669 12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall  
670 implement and maintain an electronic log of each transaction. Such log shall include the  
671 following information:

672 (1) The name, address, and signature of the purchaser;

673 (2) The amount of the compound, mixture, or preparation purchased;

674 (3) The date and time of each purchase; and

675 (4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy  
676 technician who dispensed the compound, mixture, or preparation to the purchaser.

677 13. Each pharmacy shall submit information regarding sales of any compound, mixture,  
678 or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with  
679 transmission methods and frequency established by the department by regulation;

680 14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities  
681 greater than those specified in this chapter.

682 15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products  
683 in a pharmacy shall ensure that all such products are located only behind a pharmacy counter  
684 where the public is not permitted.

685 16. The penalties for a knowing or reckless violation of the provisions of subsections 11  
686 to 15 of this section are found in section 579.060.

687           17. The scheduling of substances specified in subdivision (3) of subsection 10 of this  
688 section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds,  
689 mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound,  
690 mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must  
691 be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

692           18. The manufacturer of a drug product or another interested party may apply with the  
693 department of health and senior services for an exemption from this section. The department of  
694 health and senior services may grant an exemption by rule from this section if the department  
695 finds the drug product is not used in the illegal manufacture of methamphetamine or other  
696 controlled or dangerous substances. The department of health and senior services shall rely on  
697 reports from law enforcement and law enforcement evidentiary laboratories in determining if the  
698 proposed product can be used to manufacture illicit controlled substances.

699           19. The department of health and senior services shall revise and republish the schedules  
700 annually.

701           20. The department of health and senior services shall promulgate rules under chapter  
702 536 regarding the security and storage of Schedule V controlled substances, as described in  
703 subdivision (3) of subsection 10 of this section, for distributors as registered by the department  
704 of health and senior services.

705           21. Logs of transactions required to be kept and maintained by this section and section  
706 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is  
707 the person whose transactions are recorded in the logs.

**195.203. Notwithstanding any other provision of this chapter, section 261.265, or  
2 chapter 579 to the contrary, any person who has a valid industrial hemp registration as  
3 provided under section 195.746 may grow, harvest, cultivate, and process industrial hemp,  
4 as defined in section 195.010, in accordance with the requirements of such sections.**

**195.740. For the purposes of sections 195.740 to 195.773, the following terms shall  
2 mean:**

3           **(1) "Agricultural hemp seed", Cannabis sativa L. seed that meets any labeling,  
4 quality, or other standards set by the department of agriculture and that is intended for  
5 sale, is sold to, or is purchased by registered growers for planting;**

6           **(2) "Crop", industrial hemp grown under a single registration;**

7           **(3) "Department", the Missouri department of agriculture;**

8           **(4) "Grain", Cannabis sativa L. seed used to make an industrial hemp commodity  
9 or product;**

10           **(5) "Grower", a person, joint venture, or cooperative who is a Missouri resident  
11 or an entity that is domiciled in this state that produces industrial hemp;**

12           (6) "Handler", a person, joint venture, or cooperative who is a Missouri resident  
13 or an entity that is domiciled in this state that receives industrial hemp for processing into  
14 commodities, products, feed, or agricultural hemp seed;

15           (7) "Industrial hemp plant monitoring system", a reporting system that includes,  
16 but is not limited to, testing, transfer reports, and data collection maintained by a grower  
17 or handler and available to the department for purposes of monitoring agricultural hemp  
18 seed and industrial hemp cultivated as an agricultural product from planting to final  
19 packaging.

          195.743. 1. There is hereby created an industrial hemp agricultural pilot program,  
2 in accordance with federal law, to be implemented by the department to study the growth,  
3 cultivation, processing, feeding, and marketing of industrial hemp.

4           2. Industrial hemp shall be an agricultural product that is subject to regulation by  
5 the department, including compliance with an industrial hemp plant monitoring system.

          195.746. 1. Any grower or handler of industrial hemp shall obtain a registration  
2 from the department. Growers and handlers engaged in the production of agricultural  
3 hemp seed shall obtain an agricultural hemp seed production permit. An agricultural  
4 hemp seed production permit shall authorize a grower or handler to produce and handle  
5 agricultural hemp seed for sale to registered industrial hemp growers and handlers. The  
6 department shall make information that identifies sellers of agricultural hemp seed  
7 available to growers, and any seller of agricultural hemp seed shall ensure that the seed  
8 complies with any standards established by the department.

9           2. An application for an industrial hemp registration or agricultural hemp seed  
10 production permit shall include:

11           (1) The name and address of the applicant;

12           (2) The name and address of the industrial hemp or agricultural hemp seed  
13 operation;

14           (3) The global positioning system coordinates and legal description for the property  
15 used for the industrial hemp or agricultural hemp seed operation;

16           (4) The application fee, as determined by the department, in an amount sufficient  
17 to cover the administrative costs of processing registration and permit applications; and

18           (5) Any other information the department deems necessary.

19           3. The department shall issue a registration or permit under this section to an  
20 applicant who meets the requirements of this section and section 195.749, who satisfactorily  
21 completes a state and federal fingerprint criminal history background check under section  
22 43.543, who signs an acknowledgment that industrial hemp is an experimental crop, and  
23 who signs a waiver that holds the department harmless in the event a lawsuit occurs or if

24 the growth, cultivation, processing, feeding, or marketing of industrial hemp or seed is  
25 later declared illegal under federal law. The department may charge an applicant an  
26 additional fee for the cost of the fingerprint criminal history background check in addition  
27 to the registration or permit fee.

28 4. Upon issuance of a registration or permit, information regarding all registration  
29 and permit holders shall be forwarded to the Missouri state highway patrol.

30 5. An industrial hemp registration or agricultural hemp seed production permit is:

31 (1) Nontransferable, except such registration or permit may be transferred to a  
32 spouse or child who otherwise meets the requirements of a registrant or permittee, and the  
33 spouse or child may operate under the existing registration or permit until the registration  
34 or permit expires, at which time the renewal shall reflect the change of the registrant or  
35 permittee;

36 (2) Valid for a three-year term unless revoked by the department; and

37 (3) Renewable as determined by the department.

195.749. 1. The department may revoke, refuse to issue, or refuse to renew an  
2 industrial hemp registration or agricultural hemp seed production permit and may impose  
3 a civil penalty of not less than two thousand five hundred dollars or more than fifty  
4 thousand dollars for violation of:

5 (1) A registration or permit requirement, term, or condition;

6 (2) Department rules relating to growing or handling industrial hemp;

7 (3) Any industrial hemp plant monitoring system requirement; or

8 (4) A final order of the department that is specifically directed to the grower's or  
9 handler's industrial hemp operations or activities.

10 2. A registration or permit shall not be issued to a person who in the five years  
11 immediately preceding the application date has been found guilty of or pled guilty to a  
12 felony offense under any state or federal law regarding the possession, distribution,  
13 manufacturing, cultivation, or use of a controlled substance.

14 3. The department may revoke, refuse to issue, or refuse to renew an industrial  
15 hemp registration or an agricultural hemp seed production permit for failing to comply  
16 with any provision of this chapter, or for a violation of any department rule relating to  
17 agricultural operations or activities other than industrial hemp growing or handling.

18 4. The department shall refuse to issue an industrial hemp registration or  
19 agricultural hemp seed permit to any applicant if approving such registration or permit  
20 would authorize the growth or cultivation of industrial hemp or agricultural hemp seed on  
21 a plot of land that is less than ten acres or more than forty acres by any single registrant  
22 or permittee, or over two thousand acres of land statewide among all registrants or

23 permittees, notwithstanding the twenty acre limitation for institutions of higher education  
24 set forth in section 195.767. This subsection shall expire upon the expiration of the federal  
25 Agricultural Act of 2014.

195.752. Any person growing industrial hemp who does not have a valid industrial  
2 hemp registration issued under section 195.746 shall be subject to an administrative fine  
3 of five hundred dollars and shall obtain a valid registration to grow industrial hemp within  
4 thirty days. If, during the thirty-day period, such person applies for and receives an  
5 industrial hemp registration, the amount of the fine imposed under this section shall be  
6 refunded in full. If, during the thirty-day period described in this section, such person fails  
7 to obtain an industrial hemp registration, the person shall be fined one thousand dollars  
8 per day until such person obtains a registration. After thirty days of failing to obtain an  
9 industrial hemp registration and an accumulation of administrative fines exceeding thirty  
10 days, the industrial hemp crop shall be destroyed by the department.

195.755. A grower may retain seed from each industrial hemp crop to ensure a  
2 sufficient supply of seed for that grower for the following year. A grower shall not be  
3 required to obtain an agricultural hemp seed production permit in order to retain seed for  
4 future planting. Any seed retained by a grower for future planting shall not be sold or  
5 transferred and does not have to meet agricultural hemp seed standards established by the  
6 department.

195.756. Notwithstanding sections 281.050 and 281.101 to the contrary, in the  
2 growing and handling of industrial hemp consistent with sections 195.740 to 195.773, no  
3 retailer of pesticides as defined in 7 U.S.C. Section 136, or agricultural chemicals shall be  
4 liable for the sale, application, or handling of such products by a producer or applicator  
5 in any manner or for any purpose not approved by applicable state and federal agencies.  
6 No producer or applicator may use or apply pesticides or agricultural chemicals in the  
7 growing or handling of industrial hemp except as approved by state and federal law.

195.758. 1. Every grower or handler shall be subject to an industrial hemp plant  
2 monitoring system and shall keep industrial hemp crop and agricultural hemp seed records  
3 as required by the department. Upon three days' notice, the department may require an  
4 inspection or audit during any normal business hours for the purpose of ensuring  
5 compliance with:

- 6 (1) Any provision of sections 195.740 to 195.773;
- 7 (2) Department rules and regulations;
- 8 (3) Industrial hemp registration or agricultural hemp seed production permit  
9 requirements, terms, or conditions;
- 10 (4) Any industrial hemp plant monitoring system requirement; or

11           **(5) A final department order directed to the grower's or handler's industrial hemp**  
12 **or agricultural hemp seed operations or activities.**

13           **2. In addition to any inspection conducted under subsection 1 of this section, the**  
14 **department may inspect any industrial hemp crop during the crop's growth phase and take**  
15 **a representative sample for field analysis. If a crop contains an average delta-9**  
16 **tetrahydrocannabinol (THC) concentration exceeding three-tenths of one percent or the**  
17 **maximum concentration allowed under federal law, whichever is greater, on a dry weight**  
18 **basis, the department may detain, seize, or embargo the crop.**

19           **3. The Missouri state highway patrol may perform aerial surveillance to ensure**  
20 **illegal industrial hemp or marijuana plants are not being cultivated on or near legal,**  
21 **registered industrial hemp plantings.**

22           **4. The Missouri state highway patrol may coordinate with local law enforcement**  
23 **agencies to destroy illegal industrial hemp and marijuana plants.**

24           **5. The department shall notify the Missouri state highway patrol and local law**  
25 **enforcement agencies of the need to destroy a crop of industrial hemp deemed illegal**  
26 **through field analysis.**

**195.764. 1. The department may charge growers and handlers reasonable fees as**  
2 **determined by the department for the purposes of administering sections 195.740 to**  
3 **195.773. Fees charged for purposes of administering sections 195.740 to 195.773 shall only**  
4 **be used to administer such sections and shall not provide additional revenue for the**  
5 **department to use to administer any other program or provide staff to the department for**  
6 **any other program. All fees collected under sections 195.740 to 195.764 shall be deposited**  
7 **in the industrial hemp fund created under this section for use by the department to**  
8 **administer sections 195.740 to 195.773.**

9           **2. There is hereby created in the state treasury the "Industrial Hemp Fund", which**  
10 **shall consist of money collected under sections 195.740 to 195.773. The state treasurer shall**  
11 **be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer**  
12 **may approve disbursements. The fund shall be a dedicated fund and moneys in the fund**  
13 **shall be used solely by the department of agriculture for the purpose of administering such**  
14 **sections. Notwithstanding the provisions of section 33.080 to the contrary, any moneys**  
15 **remaining in the fund at the end of the biennium shall not revert to the credit of the**  
16 **general revenue fund. The state treasurer shall invest moneys in the fund in the same**  
17 **manner as other funds are invested. Any interest and moneys earned on such investments**  
18 **shall be credited to the fund.**

**195.767. 1. An institution of higher education may, in collaboration with the**  
2 **department, engage in the study of the growth, cultivation, or marketing of industrial**

3 hemp and agricultural hemp seed. Institutions for higher education shall obtain a  
4 registration for the growth of industrial hemp, or a permit for the growth and handling of  
5 agricultural hemp seed, from the department as set forth in sections 195.746 and 195.749.

6       2. The department shall refuse to issue an industrial hemp registration or  
7 agricultural hemp seed permit to any institution of higher education if approving such  
8 registration or permit would authorize the growth or cultivation of industrial hemp or  
9 agricultural hemp seed by institutions of higher education on over twenty acres of land  
10 statewide, notwithstanding the two thousand acre limitation set forth in section 195.749.  
11 Notwithstanding subsection 4 of section 195.749 to the contrary, the department may issue  
12 a registration or permit to an institution of higher education for the growth or cultivation  
13 of industrial hemp or agricultural hemp seed on a plot of land that is less than ten acres.  
14 This subsection shall expire upon the expiration of the federal Agricultural Act of 2014.

195.770. 1. The Missouri Crop Improvement Association, in collaboration with the  
2 department, may establish and administer a certification program for agricultural hemp  
3 seed in this state. Participation in the certification program shall be voluntary for growers  
4 and cultivators of industrial hemp.

5       2. The Missouri Crop Improvement Association, in collaboration with the  
6 department, may develop a Missouri heritage seed for industrial hemp. In developing a  
7 Missouri heritage seed, the department may:

- 8       (1) Breed, plant, grow, cultivate, and harvest the plant cannabis; and
- 9       (2) Collect seeds from wild cannabis plants.

195.773. 1. The department of agriculture shall execute its responsibilities relating  
2 to the cultivation of industrial hemp in the most cost-efficient manner possible, including  
3 in establishing permit and registration fees. For the purpose of testing industrial hemp for  
4 pesticides, the department shall explore the option of transporting samples from Missouri  
5 to departments of agriculture or testing laboratories in contiguous states that participate  
6 in an agricultural pilot program authorized by the federal Agricultural Act of 2014, or any  
7 state program authorized by successor federal law. All transport between states shall be  
8 in compliance with the federal Agricultural Act of 2014, or any successor federal law, as  
9 well as any other applicable state and federal law.

10       2. The department shall promulgate rules necessary to administer the provisions  
11 of sections 195.740 to 195.773. Any rule or portion of a rule, as that term is defined in  
12 section 536.010, that is created under the authority delegated in this section shall become  
13 effective only if it complies with and is subject to all of the provisions of chapter 536 and,  
14 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any  
15 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay

16 **the effective date, or to disapprove and annul a rule are subsequently held**  
17 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
18 **after August 28, 2018, shall be invalid and void.**

196.070. 1. A food shall be deemed to be adulterated:

2 (1) If it bears or contains any poisonous or deleterious substance which may render it  
3 injurious to health; but in case the substance is not an added substance such food shall not be  
4 considered adulterated under this subdivision if the quantity of such substance in such food does  
5 not ordinarily render it injurious to health; or

6 (2) If it bears or contains any added poisonous or added deleterious substance which is  
7 unsafe within the meaning of section 196.085; or

8 (3) If it consists, in whole or in part, of any diseased, contaminated, filthy, putrid, or  
9 decomposed substance, or if it is otherwise unfit for food; or

10 (4) If it has been produced, prepared, packed, or held under insanitary conditions  
11 whereby it may have become contaminated with filth or whereby it may have been rendered  
12 diseased, unwholesome, or injurious to health; or

13 (5) If it is, in whole or in part, the product of a diseased animal or of an animal which  
14 has died otherwise than by slaughter, or that has been fed upon the uncooked offal from a  
15 slaughterhouse; or

16 (6) If its container is composed, in whole or in part, of any poisonous or deleterious  
17 substance which may render the contents injurious to health; or

18 (7) If any valuable constituent has been in whole or in part omitted or abstracted  
19 therefrom; or

20 (8) If any substance has been substituted wholly or in part therefor; or

21 (9) If damage or inferiority has been concealed in any manner; or

22 (10) If any substance has been added thereto or mixed or packed therewith so as to  
23 increase its bulk or weight, or reduce its quality or strength or make it appear better or of greater  
24 value than it is; or

25 (11) If it is confectionery and it bears or contains any alcohol or nonnutritive article or  
26 substance except harmless coloring, harmless flavoring, harmless resinous glaze not in excess  
27 of four-tenths of one percent, harmless natural wax not in excess of four-tenths of one percent,  
28 harmless natural gum, and pectin; provided, that this subdivision shall not apply to any  
29 confectionery, by reason of its containing less than five percent by weight of alcohol, or to any  
30 chewing gum by reason of its containing harmless nonnutritive masticatory substances; or

31 (12) If it bears or contains a coal tar color other than one from a batch which has been  
32 certified under authority of the federal act.

33           **2. A food shall not be considered adulterated if it contains industrial hemp, or an**  
34 **industrial hemp commodity or product.**

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