

1 SB36  
2 125590-1  
3 By Senator Bedford  
4 RFD: Judiciary  
5 First Read: 01-MAR-11  
6 PFD: 02/15/2011

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8 SYNOPSIS: Under existing law, ephedrine and  
9 pseudoephedrine are not listed as controlled  
10 substances.

11 This bill would list ephedrine and  
12 pseudoephedrine as Schedule III controlled  
13 substances.

14 This bill would exempt certain licensed  
15 wholesale drug distributors from certain  
16 requirements of this act.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
21

22 To amend Section 20-2-27 of the Code of Alabama  
23 1975, relating to Schedule III controlled substances; to list  
24 ephedrine and pseudoephedrine as Schedule III controlled  
25 substances; and to exempt certain licensed wholesale drug  
26 distributors from certain requirements of this act.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. Section 20-2-27 of the Code of Alabama  
2 1975, is amended to read as follows:

3                   "§20-2-27.

4                   "(a) The controlled substances listed in this  
5 section are included in Schedule III:

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

10                   "a. Amphetamine, its salts, optical isomers and  
11 salts of its optical isomers;

12                   "b. Phenmetrazine and its salts;

13                   "c. Any substance which contains any quantity of  
14 methamphetamine, including its salts, isomers and salts of  
15 isomers;

16                   "d. Methylphenidate.

17                   "(2) Unless listed in another schedule, any  
18 material, compound, mixture or preparation which contains any  
19 quantity of the following substances having a potential for  
20 abuse associated with a depressant effect on the central  
21 nervous system:

22                   "a. Any substance which contains any quantity of a  
23 derivative of barbituric acid, or any salt of a derivative of  
24 barbituric acid, except those substances which are  
25 specifically listed in other schedules;

26                   "b. Chlorhexadol;

27                   "c. Glutethimide;

- 1 "d. Lysergic acid;
- 2 "e. Lysergic acid amide;
- 3 "f. Methyprylon;
- 4 "g. Phencyclidine;
- 5 "h. Sulfondiethylmethane;
- 6 "i. Sulfonethylmethane;
- 7 "j. Sulfonmethane.
- 8 "(3) Nalorphine.

9 "(4) Any material, compound, mixture or preparation  
10 containing limited quantities of any of the following narcotic  
11 drugs or any salts thereof:

12 "a. Not more than 1.8 grams of codeine or any of its  
13 salts, per 100 milliliters or not more than 90 milligrams per  
14 dosage unit, with an equal or greater quantity of an  
15 isoquinoline alkaloid of opium;

16 "b. Not more than 1.8 grams of codeine or any of its  
17 salts per 100 milliliters or not more than 90 milligrams per  
18 dosage unit, with one or more active, nonnarcotic ingredients  
19 in recognized therapeutic amounts;

20 "c. Not more than 300 milligrams of dihydrocodeinone  
21 or any of its salts per 100 milliliters or not more than 15  
22 milligrams per dosage unit, with a fourfold or greater  
23 quantity of an isoquinoline alkaloid of opium;

24 "d. Not more than 300 milligrams of dihydrocodeinone  
25 or any of its salts per 100 milliliters or not more than 15  
26 milligrams per dosage unit, with one or more active,  
27 nonnarcotic ingredients in recognized therapeutic amounts;

1 "e. Not more than 1.8 grams of dihydrocodeine or any  
2 of its salts per 100 milliliters or not more than 90  
3 milligrams per dosage unit, with one or more active,  
4 nonnarcotic ingredients in recognized therapeutic amounts;

5 "f. Not more than 300 milligrams of ethylmorphine or  
6 any of its salts per 100 milliliters or not more than 15  
7 milligrams per dosage unit, with one or more ingredients in  
8 recognized therapeutic amounts;

9 "g. Not more than 500 milligrams of opium per 100  
10 milliliters or per 100 grams or not more than 25 milligrams  
11 per dosage unit, with one or more active, nonnarcotic  
12 ingredients in recognized therapeutic amounts;

13 "h. Not more than 50 milligrams of morphine or any  
14 of its salts per 100 milliliters or per 100 grams with one or  
15 more active, nonnarcotic ingredients in recognized therapeutic  
16 amounts.

17 "(5) Any material, compound, mixture, or preparation  
18 which contains any quantity of ephedrine or pseudoephedrine.

19 "(b) The State Board of Health may except by rule  
20 any compound, mixture or preparation containing any stimulant  
21 or depressant substance listed in subdivisions (1) and (2) of  
22 subsection (a) of this section from the application of all or  
23 any part of this chapter if the compound, mixture or  
24 preparation contains one or more active medicinal ingredients  
25 not having a stimulant or depressant effect on the central  
26 nervous system and if the admixtures are included therein in  
27 combinations, quantity, proportion or concentration that

1 vitiate the potential for abuse of the substances which have a  
2 stimulant or depressant effect on the central nervous system."

3 Section 2. This act does not apply to wholesale drug  
4 distributors licensed and regulated by the State Board of  
5 Pharmacy and registered with and regulated by the United  
6 States Drug Enforcement Administration and exempts them from  
7 storage, reporting, record keeping, or physical security  
8 control requirements for controlled substances containing any  
9 material, compound, mixture, or preparation which contains any  
10 quantity of ephedrine or pseudoephedrine.

11 Section 3. This act shall become effective on the  
12 first day of the third month following its passage and  
13 approval by the Governor, or its otherwise becoming law.