CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT - SCHEDULES OF CONTROLLED SUBSTANCES

Act of Nov. 25, 2020, P.L. 1190, No. 117 Cl. 35

Session of 2020
No. 2020-117

HB 616

AN ACT

Amending the act of April 14, 1972 (P.L.233, No.64), entitled "An act relating to the manufacture, sale and possession of controlled substances, other drugs, devices and cosmetics; conferring powers on the courts and the secretary and Department of Health, and a newly created Pennsylvania Drug, Device and Cosmetic Board; establishing schedules of controlled substances; providing penalties; requiring registration of persons engaged in the drug trade and for the revocation or suspension of certain licenses and registrations; and repealing an act," further providing for schedules of controlled substances.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 4(2)(ii) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, is amended by adding a subclause and the section is amended by adding a paragraph to read:

Section 4. Schedules of Controlled Substances.--The following schedules include the controlled substances listed or to be listed by whatever official name, common or usual name, chemical name, or trade name designated.

* * *

(2) Schedule II--In determining that a substance comes within this schedule, the secretary shall find: a high potential for abuse, currently accepted medical use in the United States, or currently accepted medical use with severe restrictions, and abuse may lead to severe psychic or physical dependence. The following controlled substances are included in this schedule:

* * *

(ii) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, of any quantity, unless specifically excepted or listed in another schedule, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation:

* * *

22. Carfentanil.

* * *

(6) A drug product in a finished dosage formulation that contains 2-[1R-3-methyl-6R-(1methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benze that has been approved by the Federal Food and Drug Administration pursuant to section 505 of the Federal Food, Drug and Cosmetic Act prior to the date of enactment shall not be subject to control under this act.

Section 2. This act shall take effect immediately.

APPROVED--The 25th day of November, A.D. 2020.

TOM WOLF