

# NAMSDL



**National Alliance for Model State Drug Laws**

## **SYNTHETIC CANNABINOID BILLS, STATUTES & REGULATIONS**

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The Drug Enforcement Agency (DEA) is currently reviewing the following five substances:

- 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497)
- 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol)
- 1-pentyl-3-(1-naphthoyl)indole (JWH-018 and AM678)
- 1-butyl-3-(1-naphthoyl)indole (JWH-073)
- 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200).

For purposes of this memorandum, the foregoing substances will be referred to by their trade or other name as indicated in the parentheses following the chemical designation.

The DEA indicates that the following generic language is used by other countries to control the substances under review by the DEA:

The term Cannabimimetic Agents means, collectively, the chemicals that meet the criteria of any one or more of paragraphs (a) through (e). Any substance within the structural classes identified below that is a cannabinoid receptor type 1 (CB1 receptor) agonist as demonstrated by binding studies and functional assays:

- (a) 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent.
- (b) 3-(1-naphthoyl)indole or 3-(1-naphthyl)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent.
- (c) 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the naphthoyl ring to any extent.
- (d) 1-(1-naphthylmethyl)indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.
- (e) 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent.

The Advisory Council on the Misuse of Drugs (ACMD), a panel of experts tasked with advising the British government on the regulation and control of substances, has proposed similar language as follows:

Groups 1 and 2 (Naphthoylindoles and naphthylmethylindoles) (N = 74 and 9 respectively)

“Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent.”

Group 3 (Naphthoylpyrroles) (N = 32)

“Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent..”

Group 4 (Naphthylmethylindenes) (N = 3)

“Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent.”

Group 5 (Phenylacetylindoles) (N = 28)

“Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent.”

Group 6 (Cyclohexylphenols) (N = 16)

“Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not substituted in the cyclohexyl ring to any extent .”

Both the language from the DEA and the ACMD will be referred to throughout this memorandum as the “generic language.”

Currently, 49 states and Congress either have bills proposing to add one or more of the five substances or some variation thereof, or already have statutes or regulations on the books

including one or more of the substances. The yellow highlighted bills have either passed or been vetoed by the state governor. Where a bill has been vetoed, it is so indicated.

## I. BILLS

The following is a list of states with bills seeking to add one or more of the five chemical substances under review by the DEA. Highlighted bills have been passed and signed by that state's governor.

- U.S. Congress: 2011 Cong. U.S. S 605 – seeks to add all five substances and the generic language under review by the DEA
- U.S. Congress: 2011 Cong. U.S. HR1254 – same as US S605
- Alabama: 2011 AL H.B. 163 – seeks to add different version of JWH-200 [(1-(2-morpholin-4-yl)ethyl)indol-3-yl)naphthalen-1-yl methanone] and different version of CP 47,497 [2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol] plus others
- Alabama: 2011 AL S.B. 235 – seeks to add same as H.B. 163
- Alabama: 2011 AL S.B. 283 – seeks to add same as H.B. 163
- Alaska: 2011 AK H.B. 7 – seeks to add JWH-018, JWH-073, JWH-200, and a different version of CP-47,497 [2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol], homologues of CP-47,497, plus others to its list of Schedule IIIA substances
- Alaska: 2011 AK S.B. 17 – seeks to add JWH-018, JWH-073, JWH-200, and a different version of CP-47,497 [2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol], homologues of CP-47,497, plus others to its list of Schedule IIA substances
- Arizona: 2011 AZ H.B. 2167 – seeks to add all five substances plus others to its definition of “dangerous drugs” and to the list of Schedule I drugs
- Arkansas: 2011 AR S.B. 423 – seeks to add all five substances plus others to its list of Schedule VI drugs
- California: 2011 CA S.B. 420 – seeks to add all but CP 47,497 homologues
- Colorado: 2011 CO S.B. 134 – seeks to add JWH-018, JWH-073, JWH-200, the AK version of CP 47,497 and its homologues to its definition of “synthetic cannabinoids” and adds 2 new penalty sections

- Connecticut: 2011 CT S.B. 761 – seeks to amend the general statutes to prohibit the sale or possession of JWH-018, JWH-073, JWH-200 without chemical designations, plus others
- Connecticut: 2011 CT S.B. 1098 – directs the Commission of Consumer Protection to schedule all substances in the appropriate schedule
- Delaware: 2011 DE H.B. 30 – seeks to add a definition for “synthetic cannabinoids” including JWH-018, JWH-073, JWH-200, CP 47,497 and its homologues without chemical designation, plus others, and schedules “synthetic cannabinoids” as Schedule I drugs
- Florida: 2011 FL H.B. 39 – seeks to add JWH-018, JWH-073, JWH-200, the AK version of CP 47,497, the (C8) homologue, plus others, to its list of Schedule I drugs and provides for penalties
- Georgia: 2011 GA H.B. 199 – seeks to add JWH-200 to list of Schedule I drugs
- Georgia: 2011 GA S.B. 93 – seeks to add JWH-200 to list of Schedule I drugs
- Hawaii: 2011 HI H.B. 1085 – seeks to add JWH-018, JWH-073, the AK version of CP 47,497, the dimethyloctyl homologues of CP 47,497, and cannabicyclohexanol to list of Schedule I drugs
- Hawaii: 2011 S.B. 1305 – same as H.B. 1085
- Idaho: 2011 ID H.B. 139 – seeks to add the generic language from the ACMD report to its list of Schedule I drugs
- Idaho: 2011 ID H.B. 86 – same as H.B. 139
- Illinois: 2011 IL H.B. 2917 – seeks to add CP 47,497 and its homologues to list of Schedule I drugs
- Illinois: 2011 IL H.B. 2595 – seeks to add the generic language from the ACMD report to list of Schedule I drugs
- Illinois: 2011 IL H.B. 2089 – seeks to add CP 47,497 and its homologues plus others to list of Schedule I drugs
- Indiana: 2011 IN S.B. 57 – penalizes possession and dealing of synthetic cannabinoids and adds a new code section defining “synthetic cannabinoids” including JWH-018, and different versions of JWH-073 [(naphthalene-1-yl)-(1-butylindol-3-yl)methanone)], AL version of JWH-200 and the AK version of CP 47,497 and its homologues plus others
- Indiana: 2011 IN H.B. 1102 – seeks to add the same as S.B. 57
- Indiana: 2011 IN H.B. 1315 – penalizes possession and dealing of synthetic cannabinoids and adds a new code section defining “synthetic cannabinoids”

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- including JWH-018, JWH-073, JWH-200, and CP 47,497 without designating the molecular or chemical structure
- Indiana: 2011 IN S.B. 448 – seeks to add the same as H.B. 1315
  - Indiana: 2011 IN H.B. 1277 – seeks to add the same as H.B. 1315
  - Indiana: 2011 IN S.B. 5 – seeks to add the same as H.B. 1315
  - Indiana: 2011 IN S.B. 152 – seeks to add the same as H.B. 1315
  
  - Iowa: 2011 IA L.D. 1274 – seeks to add all five substances
  - Iowa: 2011 IA H.F. 186 – seeks to add JWH-018, JWH-073, the AK version of CP 47,497, its homologues, plus others, to list of Schedule I drugs
  - Iowa: 2011 IA S.F. 462 – seeks to add JWH-018, JWH-073, AK version of CP 47,497, and a different version of JWH-200 ([1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-methanone) to list of Schedule I drugs and provides for penalties
  - Iowa: 2011 IA H.F. 697 – adds all but cannabicyclohexanol by name, plus others including CP 47,497 homologues to list of Schedule I drugs and provides for penalties
  
  - Kansas: 2011 KS H.B. 2049 – seeks to delete JWH-018, JWH-073 and add the generic language from the ACMD report with minor changes to list of Schedule I drugs and provides for penalties
  
  - Kentucky: 2011 KY H.B. 121 – seeks to add JWH-200 and others to its definition of “synthetic cannabinoid agonists or piperazines”
  - Kentucky – 2011 KY S.B. 129 – seeks to add same as H.B. 121
  
  - Louisiana: 2011 LA H.B. 12 – seeks to add the generic language to Schedule I
  
  - Maine: 2011 ME H.P. 673 – seeks to add JWH-018 and JWH-073 plus others to list of Schedule Z drugs
  
  - Massachusetts: 2011 MA H.B. 01383 – seeks to add definition of “synthetic cannabinoids” including JWH-018, JWH-073, CP 47,497, its homologues, plus others to list of Class D drugs
  
  - Minnesota: 2011 MN H.F. 57 – seeks to add JWH-018, JWH-073, the AL version of JWH-200, the AK version of CP 47,497, plus others to list of Schedule I drugs and provides penalties
  - Minnesota: 2011 MN S.F. 7 – seeks to add JWH-018, JWH-073, JWH-200, and CP 47,497 to list of Schedule I drugs
  - Minnesota: 2011 MN S.F. 537 – seeks to add “synthetic cannabinoids” to its definition of “marijuana” including all substances but cannabicyclohexanol

- Minnesota: 2011 MN S.F. 850 – provides penalties for sale or possession of synthetic cannabinoids, includes a definition of “synthetic cannabinoids” which includes JWH-018, JWH-073, JWH-200, and CP 47,497
- Minnesota: 2011 MN S.F. 1166 – same as S.F. 850
- Mississippi: 2011 MS H.B. 1205 – modifies the current statute to include the generic language from the ACMD report with the associated synthetic substances classified under each definition to list of Schedule I drugs and provides penalties
- Missouri: 2011 MO H.B. 641 – seeks to add definition of “synthetic cannabinoids” to Schedule I with the generic language including JWH-200, the CP 47,497 homologues plus others
- Montana: 2011 MT H.B. 185 – seeks to add JWH-018, JWH-073, JWH-200, and a version of CP 47,497 [2-(3-hydroxycyclohexyl)-5-(2-methyloctan-2-yl)phenol], its homologues, plus others to list of Schedule I drugs; also adds the generic language from the ACMD report without the group classification names and provides penalties
- Nebraska: 2011 NE L.B. 19 – adds the generic language from the ACMD (with the group classification names) with some changes to list of Schedule I drugs and provides penalties
- Nevada: 2011 NV S.B. 228 – directs the Board of Pharmacy to schedule JWH-018, JWH-073, JWH-200, CP 47,497 and cannabicyclohexanol as Schedule I substances by October 1, 2011
- Nevada: 2011 NV A.B. 339 – same as S.B. 228
- New Hampshire: 2011 NH H.B. 448 – seeks to add definition of “synthetic cannabinoid agonists or piperazines” including JWH-018, JWH-073 and the AK version of CP 47,497 and places them on Schedule I
- New Jersey: 2010 NJ S.B. 2606 – seeks to add JWH-018 and JWH-073 plus others to list of Schedule I drugs
- New Jersey: 2010 NJ A.B. 2644 – seeks to add same as S.B. 2606
- New Mexico: 2011 NM S.B. 134 – seeks to add JWH-073, JWH-018, JWH-200, CP 47,497, its homologues, and cannabicyclohexanol to list of Schedule I drugs and provides penalties
- New York: 2011 NY S.B. 1834 – prohibits the sale or distribution of JWH-018, JWH-073 and a version of CP 47,497 as follows: 2-5-(2-methyloctan-2-yl)phenol, and its homologues

- New York: 2011 NY A.B. 5008 – seeks to add JWH-018, JWH-073 to list of Schedule I drugs
- New York: 2011 NY A.B. 7231 – prohibits the sale or distribution of JWH-018, JWH-073, the AK version of CP 47,497 and its homologues
- New York: 2011 NY A.B. 7324 – prohibits the sale or distribution of synthetic cannabinoids and includes a definition of “synthetic cannabinoids” including the generic language and trade names for JWH-018, JWH-073, JWH-200, CP 47,497 and cannabicyclohexanol
- North Carolina: 2011 NC S.B. 7 – adds synthetic cannabinoids to its list of Schedule VI drugs and includes the generic language with trade names for JWH-018, JWH-073, JWH-200, CP 47,497, its homologues, and cannabicyclohexanol and provides penalties
- North Carolina: 2009 NC H.J.R. 2083 – joint resolution to study the regulation of synthetic marijuana, known as “K2,” “spice,” or “JWH-018” to report to the 2011 regular session of the General Assembly
- North Carolina: 2011 NC S.B. 4 – seeks to add the generic language with trade names for JWH-018, JWH-073, JWH-200, CP 47,497, its homologues, and cannabicyclohexanol to list of Schedule I drugs
- North Dakota: 2011 ND S.B. 2119 – adds the generic language with trade names for JWH-018, JWH-073, JWH-200, CP 47,497 and cannabicyclohexanol, plus others, to list of Schedule I drugs
- Ohio: 2011 OH S.B. 57 – seeks to add JWH-018 and JWH-073 to list of Schedule I drugs
- Ohio: 2011 H.B. 64 – seeks to add all five substances to list of Schedule I drugs and provides penalties
- Oklahoma: 2011 OK S.B. 919 – adds JWH-018, JWH-073, JWH-200, and CP 47,497 by trade or other name designation to list of Schedule I drugs
- Oregon: 2011 OR H.B. 2462 – directs the Board of Pharmacy to schedule JWH-018, JWH-073, JWH-200, the AK version of CP 47,497 and its homologues, plus others as Schedule I substances
- Oregon: 2011 OR H.B. 2709 – same as H.B. 2462
- Oregon: 2011 OR H.B. 3022 – same as H.B. 2462
- Pennsylvania: 2011 PA H.B. 176 – seeks to add JWH-018, JWH-073, the NY version of CP 47,497, and the AL version of JWH-200 to list of Schedule I drugs
- Pennsylvania: 2011 PA S.B. 164 – seeks to add JWH-018, JWH-073, and the NY version of CP 47,497 to list of Schedule I drugs

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- Pennsylvania: 2011 PA H.B. 365 – seeks to add JWH-018, JWH-073, a different version of JWH-200 [(1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone], and a different version of CP 47,497 [5-(2-methyloctan-2-yl)phenol], its homologues, plus others to list of Schedule I drugs
- Pennsylvania: 2011 PA S.B. 1006 – seeks to add JWH-018, JWH-073, JWH-200, CP 47,497 and its homologues to list of Schedule I drugs
- Rhode Island: 2011 RI H.B. 5066 – seeks to add “Synthetic Cannabinoids (synthetic marijuana)” generally to list of Schedule I drugs
- South Carolina: 2011 SC S.B. 78 – seeks to add JWH-018, JWH-073, JWH-200, and CP 47,497, its homologues, to list of Schedule I drugs
- South Carolina: 2011 SC H.B. 3137 – seeks to add JWH-018 and JWH-073 to list of Schedule I drugs
- South Carolina: 2011 SC S.B. 374 – creates a new code section defining “synthetic cannabinoids” including JWH-018, JWH-073, JWH-200, CP 47,497 and cannabicyclohexanol and providing penalties
- South Carolina: 2011 SC H.B. 3144 – seeks to add same as H.B. 3137
- South Dakota: 2011 SD H.B. 1015 – adds JWH-018, JWH-073, JWH-200, CP 47,497 and cannabicyclohexanol plus others to list of Schedule I substances
- Tennessee: 2011 H.B. 1889 – penalizes production, manufacture, distribution, possession or possession with intent and includes the generic language with trade or other name designations for JWH-018, JWH-073, JWH-200, CP 47,497 and its homologues
- Texas: 2011 TX S.B. 331 – adds new code section for Penalty Group 2-A including the generic language with trade names for JWH-018, JWH-073, JWH-200, CP 47,497 and its homologues, plus others, and provides penalties
- Utah: 2011 UT H.B. 23 – adds new code section listing JWH-018, JWH-073, JWH-200, the AK version of CP 47,497 and its homologues, plus others, and provides penalties
- Virginia: 2010 VA S.B. 745 – provides penalties for possession, sale, gift, distribution, or possession with intent for JWH-018, JWH-073, JWH-200, different version of CP 47,497 as follows: 5-(1,1-dimethylheptyl)-2-[3-hydroxycyclohexyl]-phenol and its homologues plus others
- Virginia: 2010 VA H.B. 1434 – same as S.B. 745

- Washington: 2011 WA H.B. 1285 – seeks to add a definition of “synthetic cannabinoids” and add JWH-018, JWH-073, JWH-200, the AK version of CP 47,497 and its homologues to list of Schedule I substances
- Washington: 2011 WA S.B. 5101 – seeks to add the ACMD generic language to list of Schedule I substances
- Washington: 2011 WA S.B. 5954 – seeks to add generic language to list of Schedule I substances
- West Virginia: 2011 WV H.B. 2505 – seeks to add JWH-018, JWH-073, JWH-200, the AK version of CP 47,497 and its homologues and cannabicyclohexanol, plus others to its list of Schedule I drugs and provides penalties
- West Virginia: 2011 WV S.B. 276 – seeks to add definition of “synthetic cannabinoids” including JWH-018, JWH-073 and the AK version of CP 47,497 and add “synthetic cannabinoids” to its list of Schedule I drugs
- West Virginia: 2011 WV S.B. 63 – seeks to add JWH-018, JWH-073, JWH-200, CP 47,497, its homologues, and cannabicyclohexanol to list of Schedule I drugs
- Wisconsin: 2011 WI A.B. 57 – seeks to add JWH-018, JWH-073, JWH-200, the AK version of CP 47,497, its homologues, and cannabicyclohexanol, plus others, to list of Schedule I drugs
- Wisconsin: 2011 WI S.B. 54 – same as A.B. 57
- Wyoming: 2011 WY H.B. 62 – seeks to add JWH-018, JWH-073 and the AK version of CP 47,497 to list of Schedule I substances
- Wyoming: 2011 WY S.F. 59 – seeks to add the AK version of CP 47,497 and a very condensed version of the generic language from the ACMD report listing “JWH compounds” as trade names

## II. REGULATIONS

The following states have taken regulatory action or proposed regulation to schedule one or more of the five chemical substances under review by the DEA:

- Arkansas: AR ADC 0070.15.8-I, II, III, IV, V, VI, VII, VIII
  - o 2010 AR Reg Text 229596
  - o The Arkansas Board of Health adopted regulation on October 31, 2010 to schedule JWH-018, JWH-073 and others

- Idaho: ID ADC 27.01.01.434
  - o 2010 ID Reg Text 240322
  - o The Idaho Board of Pharmacy adopted a temporary rule on November 3, 2010 to schedule JWH-018, JWH-073, JWH-200, the AK version of CP 47,497, its homologues, and others
  
- Iowa: IA ADC 657-10.41(124A)
  - o 2010 IA Reg Text 232026
  - o The Iowa Pharmacy Board scheduled JWH-018, JWH-073, the AK version of CP 47,497, its homologues, and others on an emergency basis August 11, 2010.
  
- Minnesota: MN ADC 6800.4210
  - o 2010 MN Reg Text 240247
  - o The Minnesota Board of Pharmacy proposed a rule on November 1, 2010 to schedule JWH-018, JWH-073, JWH-200, the AK version of CP 47,497 and others
  
- Nevada: NAC 453.510
  - o 2011 NV Reg Text 244323
  - o The Nevada Board of Pharmacy has proposed regulation to schedule JWH-018, JWH-073, JWH-200, CP 47,497, its homologues, plus others
  
- North Dakota: ND ADC 61-13-01-03
  - o 2010 ND Reg Text 218953
  - o The North Dakota Board of Pharmacy scheduled JWH-018, JWH-073, the AK version of CP 47,497, its homologues and others on February 26, 2010.
  
- Oregon: OR ADC 855-080-0021
  - o 2010 OR Reg Text 240821
  - o The Oregon Board of Pharmacy temporarily scheduled JWH-018, JWH-073, a different version of JWH-200, different version of CP 47,497, its homologues and others on an emergency basis on November 1, 2010.
  
- Washington: WA 246-887-100
  - o WA Reg. Text 249135
  - o The Washington Department of Health scheduled JWH-018, JWH-073, JWH-200, CP 47,497 and its homologues on an emergency basis on February 2, 2011.

### III. STATUTES

States with statutes already including 1-pentyl-3-(naphthoyl)indole a/k/a JWH-018 and AM678 (AL, GA, IL, KS, KY, LA, MI, MS, MO, OK, TN):

- Ala. Code 1975 §13A-12-214.1(a)(2)
- Ga. Code Ann. §16-13-25(12)(A)
- 720 ILCS 570/204(d)(31)
- K.S.A. §65-4105(d)(33)
- K.R.S. §218A.010(39) – definition of “synthetic cannabinoid agonists or piperazines”
- LSA-R.S. §40:964(C)(32)(c)
- M.C.L.A. §333.7212(1)(h)(iii)
- Miss. Code Ann. §41-29-113(c)(38)(A)
- V.A.M.S. §195.017(2)(4)(x)
- 63 Okl.St. Ann. §2-204(C)(30)
- Tenn. Code Ann. §39-17-438(a) – “Salvia divinorum or synthetic cannabinoids JWH 018, JWH 073, HU 210 and HU 211; production, distribution and possession; exceptions; penalty”

States with statutes already including 1-butyl-3-(1-naphthoyl)indole a/k/a JWH-073 (AL, IL, KS, KY, LA, MI, MS, MO, OK, TN):

- Ala. Code 1975 §13A-12-214.1(a)(3)
- 720 ILCS 570/204(d)(32)
- K.S.A. §65.4105(d)(34)
- K.R.S. §218A.010(39) – definition of “synthetic cannabinoid agonists or piperazines”
- LSA-R.S. §40:964(C)(32)(d)
- M.C.L.A. §333.7212(1)(h)(iv)
- Miss. Code Ann. §41-29-113(c)(38)(D)
- V.A.M.S. §195.017(2)(4)(w)
- 63 Okl.St. Ann. §2-204(C)(29)
- Tenn. Code Ann. §39-17-438(a) - “Salvia divinorum or synthetic cannabinoids JWH 018, JWH 073, HU 210 and HU 211; production, distribution and possession; exceptions; penalty”

States with statutes already including 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole a/k/a JWH-200 (MI, MS):

- M.C.L.A. §33.7212(1)(h)(vi) – different chemical makeup in statute [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-methanone
- Miss. Code Ann. §41-29-113(c)(38)(E)

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States with statutes already including 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol a/k/a CP 47,497 (GA, KY, LA, MI, MS, MO):

- Ga. Code Ann. §16-13-25(12)(C) – different chemical makeup in statute – 2-(3-hydroxycyclohexyl)-5-(2-methyloctan-2-yl)phenol
- K.R.S. §218A.010(39) – different chemical makeup in statute – 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol
- LSA-R.S. §40:964(C)(32)(a) – follows KY
- M.C.L.A. §333.7212(1)(h)(ii) – follows KY
- Miss. Code Ann. §41-29-113(c)(38)(C) – follows GA
- V.A.M.S. §195.017(2)(4)(dd) – follows KY

No state already specifically includes 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol a/k/a cannabicyclohexanol in its statute defining or scheduling synthetic cannabinoids. However, Louisiana includes the C6, C7, C8 and C9 homologues of CP 47,497; Mississippi includes the dimethyloctyl homologue of CP 47,497; and Michigan includes its side chain homologues. Several states refer to cannabicyclohexanol as the C8 homologue of CP 47,497 in their bills proposing to add cannabicyclohexanol as a Schedule I substance which indicates that cannabicyclohexanol is a homologue of CP 47,497.

Any code section designated as having a different chemical makeup than the substance being reviewed by the DEA was included based upon its “trade or other name” designation in the proposed legislation or statute.