Map and Application of StateScheduling Provisions for Ephedrine

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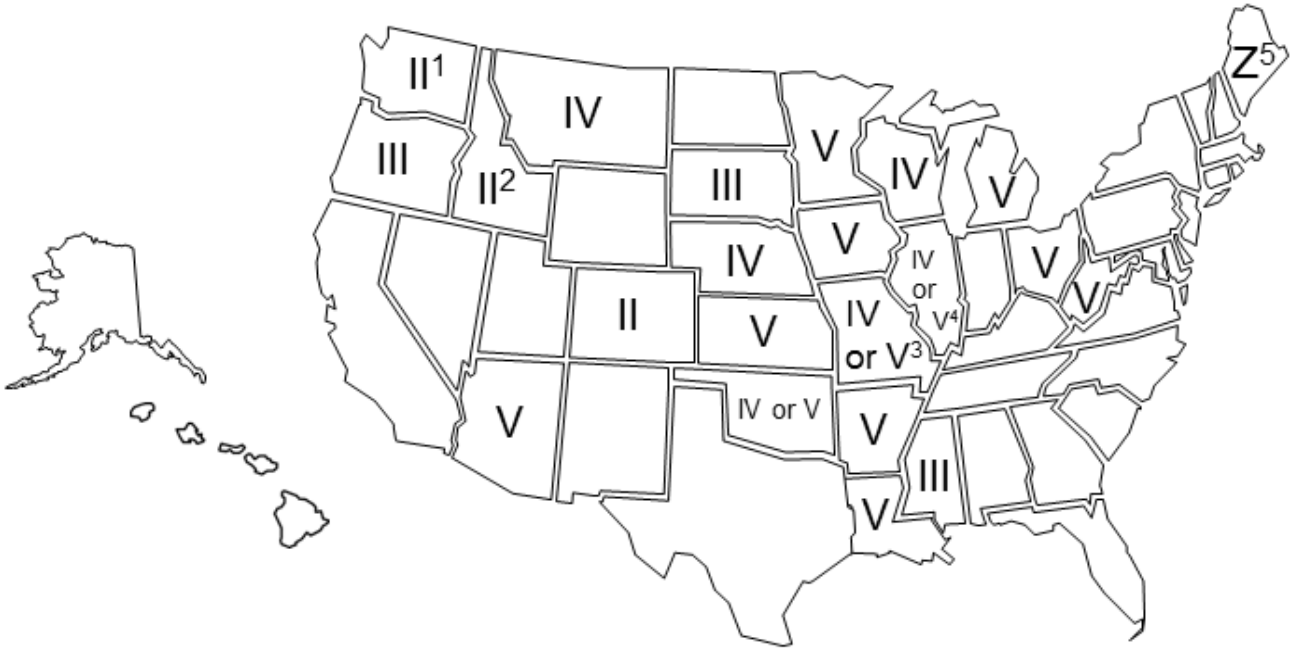
States That Schedule Ephedrine



1. Washington exempts any drug or compound containing ephedrine that is prepared for dispensing or over-the-counter distribution and is in compliance with the Federal Food, Drug and Cosmetic Act and applicable regulations.
2. Idaho exempts products that are prepared for dispensing or over-the-counter distribution, "unless such substance is possessed, delivered, or possessed with intent to deliver to another with the intent to manufacture methamphetamine, amphetamine or any other controlled substance".
3. Products that contain ephedrine as the only active medicinal ingredient and products containing ephedrine with therapeutically insignificant quantities of another active medicinal ingredient are Schedule IV. Products that contain any detectable quantity of ephedrine are Schedule V.
4. Products that contain ephedrine as the only active medicinal ingredient and products containing ephedrine with therapeutically insignificant quantities of another active medicinal ingredient are Schedule IV. Exempted ephedrine products are Schedule V, and all pseudoephedrine products are Schedule V.
5. An individual must possess a quantity of more than 9 grams of ephedrine, pseudoephedrine or phenylpropanolamine or their salts, isomers or salts of isomers, either alone or in combination with other ingredients, in dry or solid non-liquid form for the substance to be considered schedule Z.

Many state scheduling requirements only apply to a limited number of products, and many states create exemptions from scheduling requirements. For a complete list of scheduling applications and exemptions please reference the chart below.

Application and Exemptions of State Ephedrine Scheduling Provisions

State	Schedule	Application and Exemptions
Arizona	Schedule V	Applies to any compound or preparation containing the single active ingredient ephedrine or any of its salts.
Arkansas	Schedule V	Applies to any product containing ephedrine or any salts, isomers, or salts of isomers, alone or in a mixture. Exempts: ephedrine products in liquid, liquid capsule, or liquid gel capsule; ephedrine dispensed pursuant to a licensed prescription
Colorado	Schedule II	Applies to any material, compound, mixture, or preparation containing ephedrine. Exempts from prescription requirements: all combination drugs that are exempted by regulation of the attorney general of the United States department of justice, pursuant to section 1006(b) of Public Law 91-513(84 Stat. 1236), known as the "Comprehensive Drug Abuse Prevention and Control Act of 1970".
Idaho	Schedule II	Exempts any combination or compound containing ephedrine, or any of its salts and isomers, or phenylpropanolamine or its salts and isomers, which is prepared for dispensing or over-the-counter distribution, unless such substance is possessed, delivered, or possessed with intent to deliver to another with the intent to manufacture methamphetamine, amphetamine or any other controlled substance. Provides further that the requirements of the uniform controlled substances act do not apply to a manufacturer, wholesaler or retailer of over-the-counter products containing ephedrine unless such person possesses, delivers, or possesses with intent to deliver to another the over-the-counter product with intent to manufacture a controlled substance.
Illinois	Schedule IV or Schedule V	Schedule IV applies to ephedrine, its salts, optical isomers and salts of optical isomers. The following products are exempted from Schedule IV requirements, but are listed as Schedule V products: (1) solid oral dosage forms, including soft gelatin caplets, which are formulated pursuant to 21 CFR 341 or its successor, and packaged in blister packs of not more than 2 tablets per blister, and (2) anorectal preparations containing not more than 5% ephedrine if they: (i) may lawfully be sold over-the-counter without a prescription under the Federal Food, Drug, and Cosmetic Act; (ii) are labeled and marketed in a manner consistent with Section 341.76 of Title 21 of the Code of Federal Regulations; (iii) are manufactured and distributed for legitimate medicinal use in a manner that reduces or eliminates the likelihood of abuse; and (iv) are not marketed, advertised, or labeled for the indications of stimulation, mental alertness, weight loss, muscle enhancement, appetite control, or energy. Also exempted from Schedule IV requirements, but listed as Schedule V products are dietary supplements, herbs, or other natural products, including concentrates or extracts, which: (1) are not otherwise prohibited by law; and(2) may contain naturally occurring ephedrine, ephedrine alkaloids, or pseudoephedrine, or their salts, isomers, or salts of isomers, or a combination of these substances, that: (i) are contained in a matrix of organic material; and (ii) do not exceed 15% of the total weight of the natural product.
Iowa	Schedule V	Applies to any material, compound, mixture, or preparation which contains any quantity of ephedrine, including salts, optical isomers, and salts of optical isomers. No Exemptions
Kansas	Schedule V	Applies to any compound, mixture or preparation containing any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers. No Exemptions
Louisiana	Schedule V	Any product that contains any quantity of ephedrine, a salt of ephedrine, an optical isomer of ephedrine, or a salt of an optical isomer of ephedrine. No Exemptions

State	Schedule	Application and Exemptions
Maine	Schedule Z	Only applies when an individual possesses a quantity of more than 9 grams of ephedrine, pseudoephedrine or phenylpropanolamine or their salts, isomers or salts of isomers, either alone or in combination with other ingredients, in dry or solid non-liquid form.
Michigan	Schedule V	Applies to ephedrine, a salt of ephedrine, an optical isomer of ephedrine, a salt of an optical isomer of ephedrine, or a compound, mixture, or preparation containing ephedrine, a salt of ephedrine, an optical isomer of ephedrine, or a salt of an optical isomer of ephedrine. Exempts a product containing ephedrine, if the drug product may lawfully be sold over the counter without a prescription under federal law, is labeled and marketed in a manner consistent with the pertinent OTC tentative final or final monograph, is manufactured and distributed for legitimate medical use in a manner that reduces or eliminates the likelihood for abuse, and is not marketed, advertised, or labeled for an indication of stimulation, mental alertness, energy, weight loss, appetite control, or muscle enhancement and if the drug product is one of the following: (A) a solid dosage form, including but not limited to a soft gelatin caplet, that combines as active ingredients not less than 400 milligrams of guaifenesin and not more than 25 milligrams of ephedrine per dose, packaged in blister packs with not more than 2 tablets or caplets per blister; (B) an anorectal preparation containing not more than 5% ephedrine. Exempts a food product or a dietary supplement containing ephedrine, if the food product or dietary supplement meets all of the following criteria: (A) it contains, per dosage unit or serving, not more than the lesser of 25 milligrams of ephedrine alkaloids or the maximum amount of ephedrine alkaloids provided in applicable regulations adopted by the United States food and drug administration and contains no other controlled substance; (B) it contains no hydrochloride or sulfate salts of ephedrine alkaloids; (C) it is packaged with a prominent label securely affixed to each package that states the amount in milligrams of ephedrine in a serving or dosage unit; the amount of the food product or dietary supplement that constitutes a serving or dosage unit; that the maximum recommended dosage of ephedrine for a healthy adult human is the lesser of 100 milligrams in a 24-hour period or the maximum recommended dosage or period of use provided in applicable regulations adopted by the United States food and drug administration; and that improper use of the product may be hazardous to a person's health.
Minnesota	Schedule V	Applies to any compound, mixture, or preparation intended for human consumption containing ephedrine as its sole active ingredient or as one of its active ingredients. Exempts: (1) pediatric products labeled pursuant to federal regulation primarily intended for administration to children under 12 years of age according to label instructions;(2) products that are certified by the Board of Pharmacy as being manufactured in a manner that prevents the drug from being used to manufacture methamphetamine; and (3) products in gel capsule or liquid form.
Mississippi	Schedule III	Applies to any compound, mixture or preparation that contains any quantity of ephedrine. No Exemptions
Missouri	Schedule IV or V	Products that contain ephedrine, its salts, optical isomers and salts of optical isomers, when the substance is the only active medicinal ingredient are Schedule IV. Any compound, mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical isomers, or salts of optical isomers is Schedule V. No Exemptions

State	Schedule	Application and Exemptions
Montana	Schedule IV	Applies to any material, compound, mixture, or preparation that contains any quantity of ephedrine having a stimulant effect on the central nervous system, including its salts, enantiomers (optical isomers), and salts of enantiomers (optical isomers) when ephedrine is the only active medicinal ingredient or is used in combination with therapeutically insignificant quantities of another active medicinal ingredient. Exempts any nonnarcotic drug from a schedule if the drug may, under the Federal Food, Drug, and Cosmetic Act, be lawfully sold over the counter without a prescription. Exempts materials, compounds, mixtures, or preparations labeled in compliance with the Dietary Supplement Health and Education Act of 1994, 21 U.S.C. 321, et seq., that contain only natural ephedra alkaloids or extracts of natural ephedra alkaloids.
Nebraska	Schedule IV	Applies to any material, compound, mixture, or preparation which contains any quantity ephedrine including its salts, optical isomers, and salts of such optical isomers. Exempts the following products when sold in compliance with specified sales and marketing requirements: (i) Primatene Tablets; (ii) Bronkaid Dual Action Caplets; and (iii) PazoHemorrhoidal Ointment.
Ohio	Schedule V	Applies to any material, compound, mixture, or preparation that contains any quantity of the ephedrine having a stimulant effect on the central nervous system, including their salts, isomers, and salts of isomers. Exempts: Amesec capsules; Bronitin tablets; Bronkotabs; Bronkolixir; Bronkaid tablets; Efedron nasal jelly; Guiaphed elixir; Haysma; Pazo hemorrhoid ointment and suppositories; Primatene "M" formula tablets; Primatene "P" formula tablets; Tedrigen tablets; Tedraltablets, suspension and elixir; T.E.P.; Vatronol nose drops; "Breathe Easy®" herb tea; "Bronkaid® Dual Action" caplets; "Hydrosal® hemorrhoidal ointment; "Primatene® Dual Action Formula" tablets; "Primatene®" tablets; "SnoreStopt" tablets. Exempts food products or dietary supplements containing ephedrine that:contain a per dosage unit or serving, not more than the lesser of twenty-five milligrams of ephedrine alkaloids or the maximum amount of ephedrine alkaloids provided in applicable regulations adopted by the United States food and drug administration, and no other controlled substance; contains no hydrochloride or sulfate salts of ephedrine alkaloids; and meets specified packaging and labeling requirements.
Oklahoma	Schedule IV or V	Products that contain ephedrine, its salts, optical isomers, and salts of optical isomers as the only active ingredient, or in combination with other active ingredientsare Schedule IV. Products that contain any compound, mixture, or preparation containing any detectable quantity of base pseudoephedrine or ephedrine, its salts or optical isomers, or salts of optical isomers are Schedule IV. Exempts dietary supplements containing naturally occurring ephedrine alkaloids, provided that all of the following conditions are met:(A) the alkaloids are contained in an unadulterated naturally occurring organic material; and,(B) the product contains no hydrochloride or sulfate salts of ephedrine alkaloids; and,(C) the product contains, per dosage unit or serving, not more than 25 milligrams of ephedrine alkaloids; and,(D) the product is packaged with a prominent label securely affixed to each package that states the amount in milligrams of ephedrine alkaloids in a serving or dosage unit; the amount of food product or dietary supplement that constitutes a serving or dosage unit; the maximum recommended dosage unit of ephedrine alkaloids for a healthy adult; and that improper use of the product may be hazardous to a person's health;(E) the product is labeled and marketed as "ephedra" or "mahuang" and not as "ephedrine." It shall be acceptable to include descriptions of the ephedra alkaloids such as "contains 25 mg. of naturally occurring ephedrine alkaloids"; and (F) specified marketing requirements are met.
Oregon	Schedule III	Applies to products containing ephedrine or the salts of ephedrine as an active ingredient.

State	Schedule	Application and Exemptions
South Dakota	Schedule III	Applies to any material, compound, mixture, or preparation which contains any quantity of ephedrine having a potential for abuse associated with a stimulant effect on the central nervous system. Exempts products that contain ephedrine in quantities at or less than:(a) 25 milligrams in combination with 400 milligrams of quaifenesin, packaged in blister packs of not more than two tablets per blister; and(b) five percent by weight in an anorectal preparation in combination with other active medicinal ingredients.
Washington	Schedule II	Applies to any material, compound, mixture or preparation which contains ephedrine or their salts or isomers having potential for abuse Exempts any drug or compound containing ephedrine, or any of its salts or isomers, that are prepared for dispensing or over-the-counter distribution and are in compliance with the Federal Food, Drug and Cosmetic Act and applicable regulations.
West Virginia	Schedule V	Applies to any compound, mixture or preparation containing as its single active ingredient ephedrine, its salts or optical isomers, or salts of optical isomers. Exempts products which are for pediatric use primarily intended for administration to children under the age of twelve.
Wisconsin	Schedule IV	Applies to products with ephedrine as the only active medicinal ingredient or if there are only therapeutically insignificant quantities of another active medicinal ingredient.