

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

89

MINNESOTA STATE REGULATIONS

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the Pharmacy Board
(Agency or Board)

Regulation No. Pharm 51 (amended)

Subject: Prohibited Drugs

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration

NOV 8 1974 1:30pm

BY Eda Staudenmaier
AUTH. SIGNATURE EJ

Stamped and filed with the Secretary of State 11-8-74

Rev. 9-72

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55101

WARREN SPANNAUS
ATTORNEY GENERAL

October 30, 1974

Mr. David E. Holmstrom, R. Ph.
Secretary
Minnesota State Board of Pharmacy
1965 Ford Parkway
St. Paul, Minnesota 55116

Re: Pharmacy Board
Rule 51 Amendment

Dear Mr. Holmstrom:

After reviewing the amendment to Rule 51 of the Minnesota State Board of Pharmacy and documents related thereto, I am returning them to you for several small corrections.

The needed corrections are:

1) The Affidavit of Mailing should be notarized;

2) The Findings of Fact should be titled as such;

3) I need five copies of the Rule as Adopted and three copies of the Rule as Proposed (even though they are the same).

Upon return of these materials to me, I will file them with the Secretary of State and Administrative Documents Section, and return two sets of the documents to Mr. Robert Stich, the attorney for the Board.

If you have any questions, please feel free to call me at 296-4692.

Very truly yours,

Michael B. Miller
Special Assistant
Attorney General

MBM/nm

Enclosure

DMIN 1000

STATE OF MINNESOTA

DEPARTMENT Attorney General

Office Memorandum

TO : **Robert T. Stich**
State Board of Pharmacy

DATE: **November 12, 1974**

FROM : Michael B. Miller
Special Assistant Attorney General

SUBJECT: Rules and Regulations **- Pharm 51**

Enclosed directly following this memorandum are the rules and regulations you have submitted for approval. These rules and regulations have been approved by the Attorney General, filed with the Secretary of State and with the Department of Administration.

Upon receipt and before transmittal to your agency, it is IMPERATIVE that you recheck these rules and regulations as to:

1. Are the stamps of the Attorney General, Secretary of State and Department of Administration affixed to the last page of the rules and/or regulations;

2. Are all rules and/or regulations submitted covered by these stamps;

3. Are all pages of the rules and/or regulations included in the approved set?

Directly following the approved rules and/or regulations is a complete set of required documents and transcript which MUST be retained with the approved rules and/or regulations by you or your agency.

Also enclosed are additional documents and transcripts not retained by the Secretary of State; these should also be retained with the rules and/or regulations by you or your agency.

If you have any questions in this regard, please contact me.

MBM/sr

Enclosures

Adopted

~~PROPOSED~~ REVISION OF PHARMACY REGULATION 51

CHAPTER FOUR: PHARM 51-60

PROHIBITED DRUGS

(Filed with the Secretary of State and Commissioner of Administration, March 7, 1972. This filing of Pharm 51 supersedes all previous filings.)

Pharm 51 Controlled Substances. The following substances are, because of their abuse potential, defined and controlled in the following schedules and are, therefore, subject to the provisions of M.S. 152.

(a) The following items are listed in Schedule I:

(1) Any of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation: Acetylmethadol, Allylprodine, Alphacetylmathadol, Alphameprodine, Alphamethadol, Benzethidine, Betacetylmethadol, Betameprodine, Betamethadol, Betaprodine, Clonitazene, Dextromoramide, Dextrorphan, Diampromide, Diethyliambutene, Dimenoxadol, Dimepheptanol, Dimethyliambutene, Dioxaphetyl butyrate, Dipipanone, Ethylmethylthiambutene, Etonitazene, Etoxeridine, Furethidine, Hydroxypethidine, Ketobemidone, Levomoramide, Levophenacylmorphan, Morpheridine, Noracymethadol, Norlevorphanol, Normethadone, Norpipanone, Phenadoxone, Phenampromide, Phenomorphan, Phenoperidine, Piritramide, Proheptazine, Properidine, Racemoramide, Trimeperidine.

(2) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation: Acetorphine, Acetyldihydrocodeine, Acetylcodone, Benzylmorphine, Codeine methylbromide, Codeine-N-Oxide, Cyprenorphine, Desomorphine, Dihydromorphine, Etorphine, Heroin, Hydromorphinol, Methyldesorphine, Methylhydromorphine, Morphine Methylbromide, Morphine methylsulfonate, Morphine-N-Oxide, Myrophine, Nicocodeine, Nicomorphine, Normorphine, Pholcodine, Thebacon.

(3) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
3, 4-methylenedioxy amphetamine	MDA
5-methoxy-3, 4-methylenedioxy amphetamine	MMDA
Bufotenine	
Diethyltryptamine	DET
Dimethyltryptamine	DMT
3, 4, 5-trimethoxy amphetamine	TMA

4-methyl-2, 5-dimethyloxyamphetamine	DOM, STP
Ibogaine	
Lysergic acid diethylamide	LSD
Marihuana	
Mescaline	
N-ethyl-3-piperidyl benzilate	JB-318
N-methyl-3-piperidyl benzilate	JB-336
Psilocybin	
Psilocyn	
Tetrahydrocannabinols	THC

(4) Peyote, providing the listing of peyote as a controlled substance in Schedule I does not apply to the non-drug use of peyote in bona fide religious ceremonies of the Native American Church, and members of the Native American Church, however, is required to obtain federal registration annually and to comply with all other requirements of law.

(b) The following items are listed in Schedule II:

(1) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(aa) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, including the following:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
raw opium	
opium extracts	
opium fluidextracts	
powdered opium	
granulated opium	
tincture of opium	Laudanum
apomorphine	
codeine	Methylmorphine
ethylmorphine	Dionin
hydrocodone	Dihydrocodeinone, Dicodid, Hycodan
hydromorphone	Dihydromorphinone, Dilaudid
metopon	
morphine	Chlor-Anodyne
oxycodone	Dihydrohydroxycodeinone, Percodan, Nucodan
oxymorphone	Dihydrohydroxymorphinone, Numorphan
thebaine	

(bb) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (aa), except that these substances shall not include the isoquinoline alkaloids of opium.

(cc) Opium poppy and poppy straw.

(dd) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.	Cocaine

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
Alphaprodine	Nisentil
Anileridine	Leritine
Bezitramide	
Dihydrocodeine	Paracodin
Dihydromorphinone	Dilaudid
Diphenoxylate	
Fentanyl	Sublimaze, Innovar
Isomethadone	
Levomethorphan	
Levorphanol	Levo-Dromoran
Metazocine	
Methadone	Dolophine, Amidone, Adanon
Methadone-Intermediate	
4-cyano-2-dimethylamino-4, 4-diphenylbutane	
Moramide-Intermediate	
2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid	
Pethidine	Meperidine, Demerol,
Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine	Isonipecaine, Mepadin, Mepergan
Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate	
Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid	
Phenazocine	Prinadol

Piminodine	Alvodine
Racemethorphan	
Racemorphan	Dromoran

(3) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(aa) Amphetamine, its salts, optical isomers, and salts of its optical isomers;	Dexedrine, Dexamyl, Benzedrine Raphetamine, Biphetamine,
(bb) Methamphetamine, its salts, isomers, and salts of its isomers;	Desoxyn, Methedrine, Drinalfa, Desoxyephedrine Hydrochloride, Syndrox, Efroxine, Norodin, Obedrin, Ambar
(cc) Phenmetrazine and its salts;	Preludin
(dd) Methylphenidate.	Ritalin, Plimasin, Ritonic

(4) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(aa) Methaqualone	Sopor, Quaalude, Parest
(bb) Amobarbital	Amytal
(cc) Secobarbital	Seconal
(dd) Pentobarbital	Nembutal
	Tuinal

(c) The following items are listed in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of Amphetamine, its salts, optical isomers, and salts of its optical isomers; Phenmetrazine and its salts; Methamphetamine, its salts, isomers, and salts of isomers; Methpyphenidate; and which is required by federal law to be labeled with either of the following symbols; C-III, or (III).

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(aa) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.	
(bb) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.	
(cc) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules:	Buta barbital, Vinbarbital, Delvinal, Talbutal, Lotusate, Pentothal, Brevital.
(dd) Chlorhexadol	
(ee) Glutethimide	Doriden
(ff) Lysergic acid	
(gg) Lysergic acid amide	
(hh) Methyprylon	Noludar
(ii) Phencyclidine	Sernyl, Sernylar
(jj) Sulfondiethylmethane	
(kk) Sulfonethylmethane	
(ll) Sulfonmethane	

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
Benzphetamine	Didrex
Chlorphentermine	Pre-Sate
Clortermine	Voranil (USV)
Mazindol	Sanorex (Sandoz)
Phendimetrazine	Plegine, Stim-35, Melfiant, Bacarate

(4) Nalorphine — Nalline

(5) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(aa) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium. — Copavin

(bb) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts. — Cheracol, Elixir, Terpin Hydrate and Codeine, Cosadein, Prunicodeine, Robitussin A.C.

(cc) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(dd) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts. — Ambenyl, Tussend, Hycomine, Tussionex.

(ee) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(ff) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts. — Cidicol

(gg) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts. — Paregoric, Camphorated Opium Tincture

(hh) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(d) The following items are listed in Schedule IV:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Barbital	Barbitone
(2) Chloral betaine	Beta-Chlor
(3) Chloral hydrate	Noctec, Somnos
(4) Diethylpropion	Tenuate, Tepanil

(5) Ethchlorvynol	Placidyl
(6) Ethinamate	Valmid
(7) Fenfluramine	Pondamin (Robins)
(8) Methohexital	Brevital
(9) Meprobamate, except when in combination with the following drugs in the following or lower concentrations: conjugated estrogens 0.4 mg tridihexethyl chloride 25 mg pentaerythritol tetranitrate 20 mg	Equanil, Miltown, Equagesic, Equalysen
(10) Methylphenobarbital	Mebaral, Mephobarbital
(11) Paraldehyde	Paral
(12) Petrichloral	Periclor
(13) Phenobarbital	Phenobarbitone, Luminal
(14) Phentermine	Wilpo

(e) The following items are listed in Schedule V:

Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs, which shall include one or more non-narcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone,

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 milliliters or per 100 grams.	
(2) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.	
(3) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.	Lomotil
(4) Not more than 15 milligrams of anhydrous morphine per 100 milliliters or per 100 grams.	Parapectolin, Donnagel P.G.

(f) Exceptions

Drugs which are not required by federal law to bear any one of the following symbols, C-I, C-II, C-III, C-IV, or C-V, C, II, III, IV or V, are exempt from the provisions of M.S. 152, provided, however, that drugs containing any quantity of phenobarbital shall be dispensed only on prescription.

(31769-112569-11171-3772)

Pharm 52-60 Reserved for Future Use

APPROVED AS TO FORM AND LEGALITY

NOV 8 1974 19

WARREN SPANNAUS, ATTORNEY GENERAL

BY Michael B Miller

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 8 - 1974 1:15 pm

Arlen I. Erdahl
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration

NOV 8 1974 1:00 pm

BY Eda Staudenmaier
AUTH. SIGNATURE EJ

MINNESOTA STATE BOARD OF PHARMACY

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Revised Regulations of the State Board of Pharmacy

ORDER FOR HEARING

To effectively implement the powers and duties of the State Board of Pharmacy, the said Board deems it necessary to consider adoption of proposed Revision Regulation 51, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof, pursuant to the authority vested in the said Board by Sections 1 and 2 of Chapter 655, Laws of 1973.

NOW THEREFORE, IT IS ORDERED this 12th day of June 1974, that a public hearing on the proposed rules set forth in said Exhibit "A" be held in Room "A" of the Veteran's Service Building, Capitol Complex, St. Paul, Minnesota on July 19, 1974, commencing at 9:00 o'clock a,m. and continuing thereafter until all representatives of associations of other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that notice of the said hearing be given to all of the current members of the Legislature of the State of Minnesota and to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose.

MINNESOTA STATE BOARD OF PHARMACY

By David E. Holmstrom

David E. Holmstrom
Secretary

CERTIFICATE OF RESOLUTION

OF STATE BOARD OF PHARMACY

I, DAVID E. HOLMSTROM, do hereby certify that I am the Secretary of the Board of Pharmacy, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete and correct copy of a Resolution adopted at a meeting of the Board of Pharmacy duly and properly called and held on the 7th day of May, 1974 and that a quorum of the said Board was present at said meeting and that the said Resolution set forth below was passed by a majority vote of the members of the Board, and that the said Resolution set forth below are also set forth in the Minute Book of the State Board of Pharmacy and has not been rescinded or modified:

May 7, 1974

"The secretary presented a draft of proposed Regulation 51 dealing with controlled substances.

After a general discussion of the proposal Mr. Seifert moved and Mrs. Alcott seconded that it be resolved that David E. Holmstrom, Secretary of the Minnesota State Board of Pharmacy, be, and hereby is granted the authority to callaa hearing for the purpose of promulgating proposed Revised Regulation Pharm. 51 as well as perform any and all acts incidental thereto, including but without being limited thereto, signing an order for hearing and notice of hearing as well as appointing a hearing examiner. Motion passed."

David E. Holmstrom

Secretary

Exhibit 2

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the proposed Adoption
of Revised Rules of the Minnesota State
Board of Pharmacy Governing Controlled Substances.

I hereby certify that the attached ~~270~~ 366 labels and sheet constitute the complete list of persons, associations, and other interested groups who as of 3:30 o'clock p.m., this 14th day of June, 1974, have requested pursuant to M.S. 1971, Section 15.0412, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

SECRETARY OF STATE

Arlen I. Erdahl

BY Gail Dion

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

STATE BOARD OF PHARMACY

In the Matter of the Proposed
Adoption of Revised Regulation 51
Relating to the Scheduling of
Controlled Substances

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1971, Section 15.0412, Subdivision 4, in the above entitled matter in Room A, Veteran's Service Building, Capitol Complex, St. Paul, Minnesota, on Friday, July 19, commencing at 9:00 a.m., and continuing until all representatives of associations or other interested groups have had an opportunity to be heard concerning the adoption of the proposed regulations by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

Copies of the proposed revised Regulation 51 are now available and may be obtained by writing to David E. Holmstrom, Secretary, Minnesota State Board of Pharmacy, 1965 Ford Parkway, St. Paul, Minnesota, 55116. Additional copies will be available at the door on the date of the hearing.

MINNESOTA STATE BOARD OF PHARMACY

By David E. Holmstrom
David E. Holmstrom, Secretary

DEH:bf
6-17-74

CHAPTER FOUR: PHARM 51-60

PROHIBITED DRUGS

(Filed with the Secretary of State and Commissioner of Administration, March 7, 1972. This filing of Pharm 51 supersedes all previous filings.)

Pharm 51 Controlled Substances. The following substances are, because of their abuse potential, defined and controlled in the following schedules and are, therefore, subject to the provisions of M.S. 152.

(a) The following items are listed in Schedule I:

(1) Any of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation: Acetylmethadol, Allylprodine, Alphacetylmathadol, Alphameprodine, Alphamethadol, Benzethidine, Betacetylmethadol, Betameprodine, Betamethadol, Betaprodine, Clonitazene, Dextromoramide, Dextrorphan, Diampromide, Diethyliambutene, Dimenoxadol, Dimepheptanol, Dimethyliambutene, Dioxaphetyl butyrate, Dipipanone, Ethylmethylthiambutene, Etonitazene, Etoxeridine, Furethidine, Hydroxypethidine, Ketobemidone, Levomoramide, Levophenacylmorphan, Morpheridine, Noracymethadol, Norlevorphanol, Normethadone, Norpipanone, Phenadoxone, Phenampromide, Phenomorphan, Phenoperidine, Piritramide, Proheptazine, Properidine, Racemoramide, Trimeperidine.

(2) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation: Acetorphine, Acetyldihydrocodeine, Acetylcodone, Benzylmorphine, Codeine methylbromide, Codeine-N-Oxide, Cyprenorphine, Desomorphine, Dihydromorphine, Etorphine, Heroin, Hydromorphinol, Methyldesorphine, Methylhydromorphine, Morphine Methylbromide, Morphine methylsulfonate, Morphine-N-Oxide, Myrophine, Nicocodeine, Nicomorphine, Normorphine, Pholcodine, Thebacon.

(3) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
3, 4-methylenedioxy amphetamine	MDA
5-methoxy-3, 4-methylenedioxy amphetamine	MMDA
Bufotenine	
Diethyltryptamine	DET
Dimethyltryptamine	DMT
3, 4, 5-trimethoxy amphetamine	TMA

4-methyl-2, 5-dimethyloxyamphetamine	DOM, STP
Ibogaine	
Lysergic acid diethylamide	LSD
Marihuana	
Mescaline	
N-ethyl-3-piperidyl benzilate	JB-318
N-methyl-3-piperidyl benzilate	JB-336
Psilocybin	
Psilocyn	
Tetrahydrocannabinols	THC

(4) Peyote, providing the listing of peyote as a controlled substance in Schedule I does not apply to the non-drug use of peyote in bona fide religious ceremonies of the Native American Church, and members of the Native American Church, however, is required to obtain federal registration annually and to comply with all other requirements of law.

(b) The following items are listed in Schedule II:

(1) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(aa) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, including the following:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
raw opium	
opium extracts	
opium fluidextracts	
powdered opium	
granulated opium	
tincture of opium	Laudanum
apomorphine	
codeine	Methylmorphine
ethylmorphine	Dionin
hydrocodone	Dihydrocodeinone, Dicodid, Hycodan
hydromorphone	Dihydromorphinone, Dilaudid
metopon	
morphine	Chlor-Anodyne
oxycodone	Dihydrohydroxycodeinone, Percodan, Nucodan
oxymorphone	Dihydrohydroxymorphinone, Numorphan
thebaine	

(bb) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (aa), except that these substances shall not include the isoquinoline alkaloids of opium.

(cc) Opium poppy and poppy straw.

(dd) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.	Cocaine

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
Alphaprodine	Nisentil
Anileridine	Leritine
Bezitramide	
Dihydrocodeine	Paracodin
Dihydromorphinone	Dilaudid
Diphenoxylate	
Fentanyl	Sublimaze, Innovar
Isomethadone	
Levomethorphan	
Levorphanol	Levo-Dromoran
Metazocine	
Methadone	Dolophine, Amidone, Adanon
Methadone-Intermediate	
4-cyano-2-dimethylamino-4, 4-diphenylbutane	
Moramide-Intermediate	
2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid	
Pethidine	Meperidine, Demerol,
Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine	Isonipecaine, Mepadin, Mepergan
Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate	
Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid	
Phenazocine	Prinadol

Piminodine	Alvodine
Racemethorphan	
Racemorphan	Dromoran

(3) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(aa) Amphetamine, its salts, optical isomers, and salts of its optical isomers;	Dexedrine, Dexamyl, Benzedrine Raphetamine, Biphetamine,
(bb) Methamphetamine, its salts, isomers, and salts of its isomers;	Desoxyn, Methedrine, Drinalfa, Desoxyephedrine Hydrochloride, Syndrox, Efroxine, Norodin, Obedrin, Ambar
(cc) Phenmetrazine and its salts;	Preludin
(dd) Methylphenidate.	Ritalin, Plimasin, Ritonic

(4) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(aa) Methaqualone	Sopor, Quaalude, Parest
(bb) Amobarbital	Amytal
(cc) Secobarbital	Seconal
(dd) Pentobarbital	Nembutal
	Tuinal

(c) The following items are listed in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of Amphetamine, its salts, optical isomers, and salts of its optical isomers; Phenmetrazine and its salts; Methamphetamine, its salts, isomers, and salts of isomers; Methpyphenidate; and which is required by federal law to be labeled with either of the following symbols; C-III, or (III).

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(aa) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.	
(bb) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.	
(cc) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules:	Buta barbital, Vinbarbital, Delvinal, Talbutal, Lotusate, Pentothal, Brevital.
(dd) Chlorhexadol	
(ee) Glutethimide	Doriden
(ff) Lysergic acid	
(gg) Lysergic acid amide	
(hh) Methyprylon	Noludar
(ii) Phencyclidine	Sernyl, Sernylar
(jj) Sulfondiethylmethane	
(kk) Sulfonethylmethane	
(ll) Sulfonmethane	

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
Benzphetamine	Didrex
Chlorphentermine	Pre-Sate
Clortermine	Voranil (USV)
Mazindol	Sanorex (Sandoz)
Phendimetrazine	Plegine, Stim-35, Melfiant, Bacarate

(4) Nalorphine	Nalline

(5) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(aa) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.	Copavin
(bb) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.	Cheracol, Elixir, Terpin Hydrate and Codeine, Cosadein, Pruni-codeine, Robitussin A.C.

(cc) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(dd) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.	Ambenyl, Tussend, Hycomine, Tussionex.

(ee) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(ff) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.	Cidicol
(gg) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.	Paregoric, Camphorated Opium Tincture

(hh) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(d) The following items are listed in Schedule IV:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Barbital	Barbitone
(2) Chloral betaine	Beta-Chlor
(3) Chloral hydrate	Noctec, Somnos
(4) Diethylpropion	Tenuate, Tepanil

(5) Ethchlorvynol	Placidyl
(6) Ethinamate	Valmid
(7) Fenfluramine	Pondamin (Robins)
(8) Methohexital	Brevital
(9) Meprobamate, except when in combination with the following drugs in the following or lower concentrations: conjugated estrogens 0.4 mg tridihexethyl chloride 25 mg pentaerythritol tetranitrate 20 mg	Equanil, Miltown, Equagesic, Equalysen
(10) Methylphenobarbital	Mebaral, Mephobarbital
(11) Paraldehyde	Paral
(12) Petrichloral	Periclor
(13) Phenobarbital	Phenobarbitone, Luminal
(14) Phentermine	Wilpo

(e) The following items are listed in Schedule V:

Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs, which shall include one or more non-narcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone,

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 milliliters or per 100 grams.	
(2) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.	
(3) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.	Lomotil
(4) Not more than 15 milligrams of anhydrous morphine per 100 milliliters or per 100 grams.	Parapectolin, Donnagel P.G.

(f) Exceptions

Drugs which are not required by federal law to bear any one of the following symbols, C-I, C-II, C-III, C-IV, or C-V, C I, C II, C III, C IV or C V, are exempt from the provisions of M.S. 152, provided, however, that drugs containing any quantity of phenobarbital shall be dispensed only on prescription.

(31769-112569-11171-3772)

Pharm 52-60 Reserved for Future Use

AFFIDAVIT

David E. Holmstrom, being first duly sworn upon oath deposes and says:

(1) That he is the secretary of the Minnesota State Board of Pharmacy

(2) That on the 12th day of June, 1974, he went to the Secretary of State's Office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

(3) That on the 14th day of June, 1974, in response to the above request, the Secretary of State provided this affiant with such a list, composed of mailing labels and a list of recent additions thereto, a copy of which is attached hereto, marked Exhibit A and made a part hereof.

(4) That on the 17th day of June 1974, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Hearing marked Exhibit B and made a part hereof, by depositing in the United States mail at said City of St. Paul a true and correct copy there of together with a copy of the proposed regulations, properly addressed and postage prepaid to all persons and associations set forth in said Exhibit A and also to all of the current members of the Minnesota Legislature.

David Holmstrom

David E. Holmstrom
Secretary

Subscribed and sworn to before
me this 4th day of November, 1974

Gladys M. Haskell

Notary Public

GLADYS M. HASKELL
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
My Commission Expires Mar. 14, 1981

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

STATE BOARD OF PHARMACY.

In the matter of the Proposed Adoption of Rules of the State Board of Pharmacy governing Controlled Substances.

Findings of Fact

The above-entitled matter came on for hearing before the Minnesota State Board of Pharmacy on the 19th day of July, 1974, at 9:00 a.m. in Room A, Veteran's Service Building after proper notice required by M.S. 1971, Sec. 15.0412 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, I find the following:

1) the revisions proposed are in the best interest of the state as they put the state controlled substances act on equal footing with the federal act;

2) that no opposition of any kind was forthcoming from any source whatsoever;

3) that all of the evidence submitted upholds the position taken by the board as set forth in its proposed regulations.

MINNESOTA STATE BOARD OF PHARMACY

David Holmstrom

DAVID E. HOLMSTROM,
Secretary

ADOPTION OF RULES RESOLUTION

I, David E. Holmstrom, do hereby certify that I am secretary of the Board of Pharmacy, a board duly authorized under the laws of the State of Minnesota, and that the following is true, complete, and correct copy of a resolution adopted at a meeting of the Board of Pharmacy duly and properly called and held on the 20th day of September, 1974. That a quorum was present at said meeting; (that a majority of those present voted for the resolution); that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

WHEREAS, the public hearing was held on July 19, 1974 in room A in the Veteran's Service Building, Capitol complex, St. Paul, Minnesota, concerning the adoption of the proposed board regulation number 51.

WHEREAS, said public hearing was held after proper notice required by Minnesota statutes 1971, Section 15.0412, was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose, and

WHEREAS, all interested persons ware afforded opportunity at said public hearing to present written and oral data, statements, and arguments, and

WHEREAS, all interested persons were afforded an opportunity to present further written materials, data, arguments, and briefs through August 8, 1974.

WHEREAS, six members of the Minnesota State Board of Pharmacy were in attendance at said public hearing, and

WHEREAS, all members of the State Board of Pharmacy have considered all of the evidence introduced at the public hearing and the members attending this meeting have considered all of the written material, data, statements, arguments, and briefs submitted at said public hearing, and

WHEREAS, all of the members of the State Board of Pharmacy have determined the need for each of the rules contained in Exhibit "A" attached hereto and made a part hereof, and

WHEREAS, such need has been set forth in ddocument marked Exhibit "A" Attached hereto and made a part hereof.

NOW THEREFORE, BE IT RESOLVED that the rules and regulations marked Exhibit "A" attached hereto, and made a part hereof by and hereby are approved and adopted pursuant to authority vested in us by M.S. 151.06, and M.S. 151.212 Laws of 1971.

BE IT FURTHER RESOLVED that David E. Holmstrom be and hereby is authorized to execute a certificate certifying the passage of this resolution and he is further directed to submit to the office of the Attorney General of the State of Minnesota all of the necessary papers, documents and transcripts for his approval.

Motion unanimously passed.

STATE OF MINNESOTA
BOARD OF PHARMACY

David Holmstrom

Secretary

Adopted
~~PROPOSED~~ REVISION OF PHARMACY REGULATION 51

CHAPTER FOUR: PHARM 51-60

PROHIBITED DRUGS

(Filed with the Secretary of State and Commissioner of Administration, ~~March 7, 1972.~~ Oct 8, 1974 This filing of Pharm 51 supersedes all previous filings.)

Pharm 51 Controlled Substances. The following substances are, because of their abuse potential, defined and controlled in the following schedules and are, therefore, subject to the provisions of M.S. 152.

(a) The following items are listed in Schedule I:

(1) Any of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation: Acetylmethadol, Allylprodine, Alphacetylmathadol, Alphameprodine, Alphamethadol, Benzethidine, Betacetylmethadol, Betameprodine, Betamethadol, Betaprodine, Clonitazene, Dextromoramide, Dextrorphan, Diampromide, Diethyliambutene, Dimenoxadol, Dimepheptanol, Dimethyliambutene, Dioxaphetyl butyrate, Dipipanone, Ethylmethylthiambutene, Etonitazene, Etoxeridine, Furethidine, Hydroxypethidine, Ketobemidone, Levomoramide, Levophenacylmorphan, Morpheridine, Noracymethadol, Norlevorphanol, Normethadone, Norpipanone, Phenadoxone, Phenampromide, Phenomorphan, Phenoperidine, Piritramide, Proheptazine, Properidine, Racemoramide, Trimeperidine.

(2) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation: Acetorphine, Acetyldihydrocodeine, Acetylcodone, Benzylmorphine, Codeine methylbromide, Codeine-N-Oxide, Cyprenorphine, Desomorphine, Dihydromorphine, Etorphine, Heroin, Hydromorphinol, Methyldesorphine, Methylhydromorphine, Morphine Methylbromide, Morphine methylsulfonate, Morphine-N-Oxide, Myrophine, Nicocodeine, Nicomorphine, Normorphine, Pholcodine, Thebacon.

(3) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
3, 4-methylenedioxy amphetamine	MDA
5-methoxy-3, 4-methylenedioxy amphetamine	MMDA
Bufotenine	
Diethyltryptamine	DET
Dimethyltryptamine	DMT
3, 4, 5-trimethoxy amphetamine	TMA

4-methyl-2, 5-dimethyloxyamphetamine	DOM, STP
Ibogaine	
Lysergic acid diethylamide	LSD
Marihuana	
Mescaline	
N-ethyl-3-piperidyl benzilate	JB-318
N-methyl-3-piperidyl benzilate	JB-336
Psilocybin	
Psilocyn	
Tetrahydrocannabinols	THC

(4) Peyote, providing the listing of peyote as a controlled substance in Schedule I does not apply to the non-drug use of peyote in bona fide religious ceremonies of the Native American Church, and members of the Native American Church, however, is required to obtain federal registration annually and to comply with all other requirements of law.

(b) The following items are listed in Schedule II:

(1) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(aa) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, including the following:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
raw opium	
opium extracts	
opium fluidextracts	
powdered opium	
granulated opium	
tincture of opium	Laudanum
apomorphine	
codeine	Methylmorphine
ethylmorphine	Dionin
hydrocodone	Dihydrocodeinone, Dicodid, Hycodan
hydromorphone	Dihydromorphinone, Dilaudid
metopon	
morphine	Chlor-Anodyne
oxycodone	Dihydrohydroxycodeinone, Percodan, Nucodan
oxymorphone	Dihydrohydroxymorphinone, Numorphan
thebaine	

(bb) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (aa), except that these substances shall not include the isoquinoline alkaloids of opium.

(cc) Opium poppy and poppy straw.

(dd) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine. — Cocaine

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
Alphaprodine	Nisentil
Anileridine	Leritine
Bezitramide	
Dihydrocodeine	Paracodin
Dihydromorphinone	Dilaudid
Diphenoxylate	
Fentanyl	Sublimaze, Innovar
Isomethadone	
Levomethorphan	
Levorphanol	Levo-Dromoran
Metazocine	
Methadone	Dolophine, Amidone, Adanon
Methadone-Intermediate	
4-cyano-2-dimethylamino-4, 4-diphenylbutane	
Moramide-Intermediate	
2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid	
Pethidine	Meperidine, Demerol,
Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine	Isonipecaine, Mepadin, Mepergan
Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate	
Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid	
Phenazocine	Prinadol

Piminodine	Alvodine
Racemethorphan	
Racemorphan	Dromoran

(3) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(aa) Amphetamine, its salts, optical isomers, and salts of its optical isomers;	Dexedrine, Dexamyl, Benzedrine Raphetamine, Biphetamine,
(bb) Methamphetamine, its salts, isomers, and salts of its isomers;	Desoxyn, Methedrine, Drinalfa, Desoxyephedrine Hydrochloride, Syndrox, Efroxine, Norodin, Obedrin, Ambar
(cc) Phenmetrazine and its salts;	Preludin
(dd) Methylphenidate.	Ritalin, Plimasin, Ritonic

(4) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(aa) Methaqualone	Sopor, Quaalude, Parest
(bb) Amobarbital	Amytal
(cc) Secobarbital	Seconal
(dd) Pentobarbital	Nembutal
	Tuinal

(c) The following items are listed in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of Amphetamine, its salts, optical isomers, and salts of its optical isomers; Phenmetrazine and its salts; Methamphetamine, its salts, isomers, and salts of isomers; Methpyphenidate; and which is required by federal law to be labeled with either of the following symbols; C-III, or (III).

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(aa) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.	
(bb) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.	
(cc) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules:	Buta barbital, Vinbarbital, Delvinal, Talbutal, Lotusate, Pentothal, Brevital.
(dd) Chlorhexadol	
(ee) Glutethimide	Doriden
(ff) Lysergic acid	
(gg) Lysergic acid amide	
(hh) Methyprylon	Noludar
(ii) Phencyclidine	Sernyl, Sernylar
(jj) Sulfondiethylmethane	
(kk) Sulfonethylmethane	
(ll) Sulfonmethane	

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

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
Benzphetamine	Didrex
Chlorphentermine	Pre-Sate
Clortermine	Voranil (USV)
Mazindol	Sanorex (Sandoz)
Phendimetrazine	Plegine, Stim-35, Melfiant, Bacarate

(4) Nalorphine	Nalline

(5) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(aa) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.	Copavin
(bb) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.	Cheracol, Elixir, Terpin Hydrate and Codeine, Cosadein, Prunicodeine, Robitussin A.C.

(cc) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(dd) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.	Ambenyl, Tussend, Hycomine, Tussionex.

(ee) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(ff) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.	Cidicol
(gg) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.	Paregoric, Camphorated Opium Tincture

(hh) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(d) The following items are listed in Schedule IV:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Barbital	Barbitone
(2) Chloral betaine	Beta-Chlor
(3) Chloral hydrate	Noctec, Somnos
(4) Diethylpropion	Tenuate, Tepanil

(5) Ethchlorvynol	Placidyl
(6) Ethinamate	Valmid
(7) Fenfluramine	Pondamin (Robins)
(8) Methohexital	Brevital
(9) Meprobamate, except when in combination with the following drugs in the following or lower concentrations: conjugated estrogens 0.4 mg tridihexethyl chloride 25 mg pentaerythritol tetranitrate 20 mg	Equanil, Miltown, Equagesic, Equalysen
(10) Methylphenobarbital	Mebaral, Mephobarbital
(11) Paraldehyde	Paral
(12) Petrichloral	Periclor
(13) Phenobarbital	Phenobarbitone, Luminal
(14) Phentermine	Wilpo

(e) The following items are listed in Schedule V:

Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs, which shall include one or more non-narcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone,

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 milliliters or per 100 grams.	
(2) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.	
(3) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.	Lomotil
(4) Not more than 15 milligrams of anhydrous morphine per 100 milliliters or per 100 grams.	Parapectolin, Donnagel P.G.

(f) Exceptions

Drugs which are not required by federal law to bear any one of the following symbols, C-I, C-II, C-III, C-IV, or C-V, C, CII, CIII, CIV or CV, are exempt from the provisions of M.S. 152, provided, however, that drugs containing any quantity of phenobarbital shall be dispensed only on prescription.

(31769-112569-11171-3772)

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STATE OF MINNESOTA

Exhibit "B"

COUNTY OF RAMSEY

In the matter of the proposed Revision
of Rules of Board of Pharmacy Governing
Controlled Substances

STATEMENT OF NEED

The above captioned rule is an amendment to an existing rule of the Minnesota State Board of Pharmacy. The last time the above captioned rule was amended was March 7, 1972.

The need to adopt these rules arises because of the necessity of updating the rescheduling of controlled substances in order to bring the state requirements into a form parallel to the requirements of the Federal Controlled Substances Act. Changes in the federal act subsequent to the last revision of this section have caused significant differences to appear between the state and federal acts causing much confusion and difficulty in the reinforcement of the act.

David Katzmeier
Secretary

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA STATE BOARD OF PHARMACY

In the matter of the proposed Adoption of Rules of the State Board of Pharmacy Governing Controlled Substances

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Board of Pharmacy of the State of Minnesota on the 19th day of July, 1974 at 9:00 a.m. in Room A, Veteran's Service Building, St. Paul, Minnesota, after proper notice required by M.S. 1971, Section 15.0412 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceddings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Pharm 51 Controlled Substances are adopted this 20th day of September, 1974, pursuant to authority vested in the Board by M.S. 151.06, Sections 3 and 4 of Chapter 639, Laws of 1973.

STATE OF MINNESOTA

BOARD OF PHARMACY

David Holmstrom

Secretary

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Robert T. Stich, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

Robert T. Stich

SPecial Assistant Attorney General

Dated: 10/16/74