

Regulation of the
Department of Consumer Protection

Concerning
Controlled Substances

Regulations adopted after July 1, 2013, become effective upon posting to the website of the Secretary of the State, or at a later date specified within the regulation.

Website posted on
September 17, 2013

Effective Date
September 17, 2013

Approved by the Attorney General on
December 28, 2012

Approved by the Legislative Regulation Review
Committee on
August 27, 2013

Received and filed in the Office of the
Secretary of the State on
September 10, 2013

Electronic copy with agency head certification statement
submitted to the Office of the
Secretary of the State on
September 12, 2013

Published in the Connecticut Law Journal on

Purpose and Legal Disclaimer: This form was designed to facilitate submission of the “statement from the department head” required by CGS 4-172(a) as amended by PA 12-92, Section 6. This form does not constitute legal advice. The Office of the Secretary of the State (SOTS) is not authorized to provide legal advice to state agencies. Consult with your agency’s legal counsel before completing and submitting this form for filing

Instructions: (1) Save a copy of this document to your computer; (2) To enter data, use the Tab key to move between fields, or click-and-highlight an entire <text field>; (3) When complete, submit to your agency’s legal counsel for review and approval; (4) After approval by counsel, PRINT and submit to your agency head for his/her original signature; (5) Scan the originally-signed form and submit it as an email attachment, along with the electronic copy of the regulation that the statement certifies, to regulations.sots@ct.gov; (6) retain the originally-signed copy for your agency’s regulation-making record.

Submit the electronic copy and its certification statement to the Secretary of the State at regulations.sots@ct.gov concurrently with the paper copy of the original regulation, as required by CGS Section 4-172 as amended.

Electronic Copy Certification Statement

I, **William M. Rubenstein**, Commissioner of the **Department of Consumer Protection**, in accordance with the provisions of Section 4-172 of the *General Statutes of the State of Connecticut*, do hereby certify:

That the electronic copy of a regulation concerning **Controlled Substance-MM**, which was approved by the Legislative Regulation Review Committee on **August 27, 2013**, and which shall be submitted electronically for filing to the Secretary of the State by **Tanya Washington**, of this agency on **September 12, 2013**, is a true and accurate copy of the original regulation approved in accordance with Sections 4-169 and 4-170 of the *General Statutes of the State of Connecticut*.

In testimony whereof, I have hereunto set my hand on **September 12, 2013**.



(Signature of agency head)

STATE OF CONNECTICUT
REGULATION
of the
DEPARTMENT OF CONSUMER PROTECTION
concerning
CONTROLLED SUBSTANCES

Section 1. Subsection (c) of Section 21a-243-7 of the Regulations of Connecticut State Agencies is amended to read as follows:

(c) Any material, compound, mixture or preparation which contains their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Alpha-ethyltryptamine;
- (2) 4-bromo-2,5-dimethoxyamphetamine; or 4-bromo-2,5-DMA;
- (3) 2,5-dimethoxyamphetamine; or 2,5-DMA;
- (4) 2,5-Dimethoxy-4-ethylamphetamine or DOET;
- (5) 3,4-M ethylenedioxy-N-ethylamphetamine;
- (6) 1-methyl-4-phenyl-4-propionoxypiperidine; or MPPP;
- (7) 3,4-methylenedioxymethamphetamine; or MDMA;
- (8) 2,5-dimethoxy-4-(n)-propylthiopenenthylamine (2C-T-7);
- (9) 4-methoxyamphetamine; or PMA;
- (10) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (11) 5-Methoxy-nn-Diisopropyltryptamine(5-methoxy-dipt);
- (12) 4-methyl-2,5-dimethoxyamphetamine; or DOM; or STP
- (13) 3,4-methylenedioxy amphetamine; or MDA;
- (14) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA;
- (15) 3,4,5-trimethoxy amphetamine;
- (16) benzylpiperazine or BZP;
- (17) Bufotenine or Mappine;
- (18) Alphaethyltryptamine;
- (19) Diethyltryptamine or DET;
- (20) Dimethyltryptamine or DMT;
- (21) Ibogaine;
- (22) Lysergic acid diethylamide;
- [(23) Marijuana;]
- [(24)] ~~(23)~~ MDVP (3,4-methylenedioxyprovalerone);
- [(25)] ~~(24)~~ 3,4-methylenedioxy-N-methycathion (methylone)
- [(26)] ~~(25)~~ Mephedrone (4-methylmethcathinone);
- [(27)] ~~(26)~~ Mescaline;
- [(28)] ~~(27)~~ Parahexyl or Synhexyl;
- [(29)] ~~(28)~~ Peyote, meaning all parts of the plants;

- [(30)] (29) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine; or PEPAP;
- [(31)] (30) N-ethyl-3-piperidyl benzilate;
- [(32)] (31) N-methyl-3-piperidyl benzilate;
- [(33)] (32) Psilocybin;
- [(34)] (33) Psilocyn;
- [(35)] (34) Tetrahydrocannabinols except Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved product;
- [(36)] (35) Salvia divinorum;
- [(37)] (36) Salvinorin A;
- [(38)] (37) Ethylamine analog of phencyclidine, Cyclohexamine or PCE;
- [(39)] (38) 4-Bromo-2,5-dimethoxyphenethylamine;
- [(40)] (39) Pyrrolidine analog of phencyclidine, PCP or PHP;
- [(41)] (40) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- [(42)] (41) Thiophene analog of phencyclidine, TPCP or TCP;
- [(43)] (42) Tiletamine or 2-(ethylamino)-2-(2-thienyl)-cyclohexanone;
- [(44)] (43) Trifluoromethylphenylpiperazine or TFMPP.

Sec. 2. Section 21a-243-8 of the Regulations of Connecticut State Agencies is amended by adding a new subsection (g) as follows:

(NEW) (g) Marijuana, including any material, compound, mixture or preparation which contains its salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation.

STATEMENT OF PURPOSE:

- (A) **Purpose:** To reclassify marijuana as a Schedule II controlled substance pursuant to Public Act No. 12-55.
- (B) **Summary:** At present, marijuana is classified as a Schedule I controlled substance. The Department's proposed regulations reclassify marijuana as a Schedule II controlled substance.
- (C) **Legal Effects:** At present, marijuana is classified as a Schedule I controlled substance. Under this classification, marijuana cannot be legally produced, prescribed or possessed. The Department's proposed regulations classify marijuana as a Schedule II controlled substance. As a Schedule II controlled substance, marijuana can be legally produced, prescribed and dispensed under strict controls.

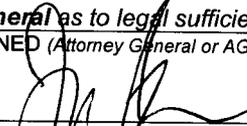
CERTIFICATION

This certification statement must be completed in full, including items 3 and 4, if they are applicable.

- 1) I hereby certify that the above (check one) Regulations Emergency Regulations
- 2) are (check all that apply) adopted amended repealed by this agency pursuant to the following authority(ies): (complete all that apply)
 - a. Connecticut General Statutes section(s) 4-168 and 21a-243.
 - b. Public Act Number(s) 12-55.
 (Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on October 23, 2012;
 (Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) And that a public hearing regarding the proposed regulations was held on November 26, 2012;
 (Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) And that said regulations are **EFFECTIVE** (check one, and complete as applicable)
 - When filed with the Secretary of the State
 - OR on (insert date) _____

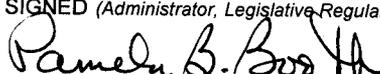
DATE <u>12/20/12</u>	SIGNED (Head of Board, Agency or Commission) 	OFFICIAL TITLE, DULY AUTHORIZED Commissioner Department of Consumer Protection
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APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE <u>12/28/12</u>	SIGNED (Attorney General or AG's designated representative)  Joseph Rubin	OFFICIAL TITLE, DULY AUTHORIZED Assistant Attorney General
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Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.
 (For Regulation Review Committee Use ONLY)

- Approved Rejected without prejudice
- Approved with technical corrections Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE <u>3/26/2013</u>	SIGNED (Administrator, Legislative Regulation Review Committee)  Pamela B. Booth
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Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY
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(For Secretary of the State Use ONLY)

R-39 Rev. 03/2012
(Certification page—see Instructions on back)

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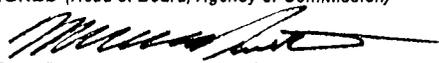
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- 5) And that said regulations are EFFECTIVE (check one, and complete as applicable)

When filed with the Secretary of the State

OR on (insert date) _____

2013 SEP 0 P 2:51
 STATE OF CONNECTICUT
 DEPARTMENT OF CONSUMER PROTECTION

DATE <u>12/20/12</u>	SIGNED (Head of Board, Agency or Commission) 	OFFICIAL TITLE, DULY AUTHORIZED Commissioner Department of Consumer Protection
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SIGN HERE

APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE	SIGNED (Attorney General or AG's designated representative)	OFFICIAL TITLE, DULY AUTHORIZED

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(For Regulation Review Committee Use ONLY)

- Approved Rejected without prejudice
- Approved with technical corrections ^{del. subst. pgs} Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE <u>8/27/13</u>	SIGNED (Administrator, Legislative Regulation Review Committee) 
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Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY

(For Secretary of the State Use ONLY)