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June 23, 2003

The Acting Administrator of the Drug Enforcement Administration (DEA) issued a final rule clarifying the listing of tetrahydrocannabinols (THC) in Schedule I of the Federal Controlled Substances Act (CSA) to include reference to both natural and synthetic THC.

This action was based on the following:

- (1) The October 9, 2001 interpretive rule (66 FR 51530) issued by the DEA, explained that the listing of THC in Schedule I refers to both natural and synthetic;
- (2) Every molecule of THC has identical physical and chemical properties and produces identical psychoactive effects, whether it was formed in nature or by laboratory synthesis;
- (3) THC is an hallucinogenic substance with a high potential for abuse and no currently accepted medical use; therefore, there is no basis for distinguishing natural THC from synthetic THC; and,
- (4) Treating natural THC as a non-controlled substance would provide a loophole in the law that might be exploited by drug traffickers.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Chapter 481, Health and Safety Code, at least thirty-one days have expired since notice of the above referenced action was published in the Federal Register, and in my capacity as Commissioner of the Texas Department of Health, I do hereby order that the listing for tetrahydrocannabinols be amended in Schedule I of the Texas Controlled Substances Act. Schedule I of said Act is hereby amended to read as follows:

## **SCHEDULE I**

Schedule I consists of:

- Schedule I opiates

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- Schedule I opium derivatives

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- Schedule I hallucinogenic substances

unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances or that contains any of the substance's salts, isomers, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation (for the purposes of this Schedule I hallucinogenic substances section only, the term "isomer" includes optical, positional, and geometric isomers):

- (1) Alpha-ethyltryptamine (some trade or other names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; alpha-ET; AET);
- (2) alpha-methyltryptamine (AMT), its isomers, salts, and salts of isomers;
- (3) 4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA);
- (4) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: Nexus; 2C-B; 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB);
- (5) 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);
- (6) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);
- (7) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomer, salts and salts of isomers;
- (8) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts, and salts of isomers
- (9) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (10) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);
- (11) 1-methyl-4-phenyl-1,2,5,6-tetrahydro-pyridine (MPTP);
- (12) 4-methyl-2,5-dimethoxyamphetamine (some trade and other names: 4-methyl-2,5-dimethoxy-alpha-methyl-phenethylamine; "DOM"; and "STP");
- (13) 3,4-methylenedioxy-amphetamine;
- (14) 3,4-methylenedioxy-methamphetamine (MDMA, MDM);
- (15) 3,4-methylenedioxy-N-ethylamphetamine (some trade or other names: N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine; N-ethyl MDA; MDE; MDEA);
- (16) 3,4,5-trimethoxy amphetamine;
- (17) N-hydroxy-3,4-methylenedioxyamphetamine (Also known as N-hydroxy MDA);
- (18) Bufotenine (some trade and other names: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine);
- (19) Diethyltryptamine (some trade and other names: N,N-Diethyltryptamine; DET);
- (20) Dimethyltryptamine (some trade and other names: DMT);
- (21) Ethylamine Analog of Phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl)-ethylamine; cyclohexamine; PCE);
- (22) Ibogaine (some trade or other names: 7-Ethyl-6,6-beta, 7,8,9,10,12,13-octhydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2]azepino[5,4-b] indole; taber-nanthe iboga);
- (23) Lysergic acid diethylamide;
- (24) Marihuana;
- (25) Mescaline;
- (26) N-ethyl-3-piperidyl benzilate;
- (27) N-methyl-3-piperidyl benzilate;

(28) Parahexyl (some trade or other names:

3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl);

(29) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as *Lophophora*, whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;

(30) Psilocybin;

(31) Psilocin;

(32) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1-phenyl-cyclohexyl)-pyrrolidine, PCPy, PHP);

\*(33) Tetrahydrocannabinols – Meaning tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

1 cis or trans tetrahydrocannabinol, and their optical isomers

6 cis or trans tetrahydrocannabinol, and their optical isomers

3,4 cis or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.);

(34) Thiophene analog of phencyclidine (some trade or other names:

1-[1-(2-thienyl)cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP); and

(35) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (some trade or other names: TCPy);

- Schedule I stimulants


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- Schedule I depressants

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Changes to the schedules are designated by an asterisk (\*)

Done in Austin, Texas this 10 day of 18, 2003 in witness whereof I hereunto set my hand and seal of office.



Eduardo J. Sanchez, M.D., M.P.H.  
Commissioner of Health