Title 4 - Criminal Code
Appendix 1 - RCW 69.50

69.45.080 Title 69 RCW: Food, Drugs, Cosmetics, and Poisons

except pursuant to a hearing held in accordance with chapter 34.05 RCW.

(4) Specific drug samples which are distributed in this state in violation of this chapter, following notification by the board, shall be subject to seizure following the procedures set out in RCW 69.41.060. [1987 c 411 § 8.]

69.45.090 Records, reports, and information confidential—Exemption from public inspection under chapter 42.17 RCW. All records, reports, and information obtained by the board from or on behalf of a manufacturer or manufacturer's representative under this chapter are confidential and exempt from public inspection and copying under chapter 42.17 RCW. This section does not apply to public disclosure of the identity of persons found by the board to have violated state or federal laws, rules, or regulations. This section is not intended to restrict the investigations and proceedings of the board so long as the board maintains the confidentiality required by this section. [1987 c 411 § 9.]

69.45.900 Severability—1987 c 411. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. [1987 c 411 § 12.]

Chapter 69.50
UNIFORM CONTROLLED SUBSTANCES ACT

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ARTICLE I—DEFINITIONS

69.50.010 Definitions. As used in this chapter:
(a) "Administrator" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:
(1) a practitioner, or
(2) the patient or research subject at the direction and in the presence of the practitioner.
(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common carrier, public warehouseman, or employee of the common carrier or warehouseman.
Uniform Controlled Substances Act

(c) "Drug enforcement administration" means the federal drug enforcement administration in the United States Department of Justice, its successor agency.

(d) "Controlled substance" means a drug, substance, or immediate precursor in Schedules I through V of Article II.

(e) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who is actually manufactured, distributed, or dispensed the substance.

(f) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(g) "Department" means the department of health.

(h) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(i) "Dispenser" means a practitioner who dispenses.

(j) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(k) "Distributor" means a person who distributes.

(l) "Drug" means substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure or any function of the body of man or animals; and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(m) "Immediate precursor" means a substance which the state board of pharmacy has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.

(n) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging, or labeling of a controlled substance:

(1) by a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice, or

(2) by a practitioner, or by his authorized agent under his supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(o) "Marihuana" means all parts of the plant of the genus Cannabis L., whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake thereof, or the sterilized seed of the plant which is incapable of germination.

(p) "Narcotic drug" means any of the following, 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:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate.

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause 1, but not including the isatinotriazine alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including deacetylated coca leaves or extractions of coca leaves which do not contain cocaine or coca.

(q) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under RCW 69.50.201, the dextro stereoisomer of 3-methoxy-1-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

(r) "Opium poppy" means the plant of the genus Papaver L., except its seeds, capable of producing an opiate.

(s) "Person" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(t) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(u) "Practitioner" means

(1) A physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, a dentist under chapter 18.32 RCW, a chiropractor under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a registered
nurse under chapter 18.88 RCW, a licensed practical nurse under chapter 18.78 RCW, a pharmacist under chapter 18.84 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted or authorized as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of their professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathy and surgery in any state of the United States.

"Production" includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance.

(4) "Secretary" means the secretary of health or the secretary's designee.

(5) "State", when applied to a part of the United States, includes any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(6) "Ultimate user" means a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household.

(7) "Board" means the state board of pharmacy.

Effective date—Severability—1989 1st ex. s. 9. See RCW 43.70.010 and 43.70.220.

Severability—1972 3rd ex. s. 38: "If any of the provisions of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the amendatory act, or the application of the provision to other persons or circumstances, or the act prior to its amendment is not affected." (1972 3rd ex. s. 38.)

69.50.102 Drug paraphernalia—Definitions. (a) As used in this chapter, "drug paraphernalia" means all equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. It includes, but is not limited to,

(1) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

(2) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances;

(3) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance;

(4) Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness, or purity of controlled substances;

(5) Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances;

(6) Dull tools and other devices such as saws, pliers, and scissors, used, intended for use, or designed for use in cutting controlled substances;

(7) Separation gels and filters used, intended for use, or designed for use in separating or purifying controlled substances;

(8) Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding controlled substances;

(9) Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging controlled substances;

(10) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances;

(11) Hypodermic syringes, needles, and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body;

(12) Object used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing a controlled substance into the human body:

(i) Metal, wooden, acryl, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

(ii) Water pipes;

(iii) Carborundum tube and devices;

(iv) Smoking and combustion masks;

(v) Roach clips. Meaning objects used to hold burning material, such as a marihuana cigarette, that has become too small or too short to be held in the hand;

(vi) Miniature cocaine spoons, and cocaine vials;

(vii) Chamber pipes;

(viii) Carbonator pipes;

(ix) Electric pipes;

(x) Air-driven pipes;

(xi) Chillums;

(xii) Bongs; and

(xiii) Ice pipes or chillers.

(b) In determining whether an object is drug paraphernalia under this section, a court or other authority should consider, in addition to all other logically relevant factors, the following:

(1) Statements by an owner or by anyone in control of the object concerning its use;

(2) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance;

(3) The proximity of the object, in time and space, to a direct violation of this chapter;

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(4) The proximity of the object to controlled substances;
(5) The existence of any residue of controlled substances on the object;
(6) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter shall not preclude a finding that the object is intended or designed for use as drug paraphernalia;
(7) Instructions, oral or written, provided with the object concerning its use;
(8) Descriptive materials accompanying the object which explain or depict its use;
(9) National and local advertising concerning its use;
(10) The manner in which the object is displayed for sale;
(11) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
(12) Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise;
(13) The existence and scope of legitimate uses for the object in the community; and
(14) Expert testimony concerning its use. [1981 c 48 § 1]

Severability—1981 c 48: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1981 c 48 § 4]

ARTICLE II
STANDARDS AND SCHEDULES

69.50.201 Enforcement of chapter—Authority to change schedules of controlled substances. (a) The state board of pharmacy shall enforce this chapter and may add substances to or delete or reschedule all substances enumerated in the schedules in RCW 69.50.204, 69.50.206, 69.50.208, 69.50.210, or 69.50.212 or 69.50.214 pursuant to the rule-making procedures of chapter 34.05 RCW. In making a determination regarding a substance, the board shall consider the following:
(1) the actual or relative potential for abuse;
(2) the scientific evidence of its pharmacological effects, if known;
(3) the state of current scientific knowledge regarding the substance;
(4) the history and current pattern of abuse;
(5) the scope, duration, and significance of abuse;
(6) the risk to the public health;
(7) the potential of the substance to produce psychic or physiological dependence liability; and
(8) whether the substance is an immediate precursor of a substance already controlled under this Article.
(b) After considering the factors enumerated in subsection (a) the board may issue a rule controlling the substance if it finds the substance has a potential for abuse.
(c) If the board designates a substance as an immediate precursor, substances which are precursors of the controlled precursor shall not be subject to control solely because they are precursors of the controlled precursor.
(d) If any substance is designated, rescheduled, or deleted as a controlled substance under federal law and notice thereof is given to the board, the substance shall be similarly controlled under this chapter after the expiration of thirty days from publication in the Federal Register of a final order designating a substance as a controlled substance or rescheduling or deleting a substance, unless within that thirty day period, the board objects to inclusion, rescheduling, or deletion. In that case, the board shall proceed pursuant to the rule-making procedures of chapter 34.05 RCW.
(e) Authority to control under this section does not extend to distilled spirits, wine, malt beverages, or tobacco as those terms are defined or used in Title 66 RCW and Title 26 RCW.

(69.50.202) Nomencature. The controlled substances listed or to be listed in the schedules in RCW 69.50.204, 69.50.206, 69.50.208, 69.50.210, and 69.50.212 are included by whatever official name, common, usual, chemical, or trade name designated. [1971 ex. s. 308 § 69.50.201.]

69.50.203 Schedule I tests. The state board of pharmacy shall place a substance in Schedule I if it finds that the substance:
(1) has high potential for abuse; and
(2) has no accepted medical use in treatment under the United States or lacks accepted safety for use in treatment under medical supervision. [1971 ex. s. 308 § 69.50.201.]

69.50.204 Schedule I. (a) The controlled substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name, are included in Schedule I.
(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of...
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these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetophene;
(2) Acetylphenylacetone;
(3) Acetylmorphine;
(4) Acidethidine;
(5) Acidolepine;
(6) Peyote, meaning all parts of the plant presently classified botanically as Lophophora Williamsii Lehm., whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or extracts (interprets 21 U.S.C. Sec. 812(c), Schedule I(c)(12));

(7) N-ethyl-3-piperidyl isocyanate;

(8) N-methyl-3-piperidyl benzilate;

(9) Psilocybin;

(20) Psilocyn;

(21) Tetrahydrocannabinols, synthetic equivalents of the substances contained in the plant, or in the resins of such plant, and every compound, mixture, or preparation of such substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

(i) Delta 1 - cis- or trans tetrahydrocannabinol, and its optical isomers;

(ii) Delta 1 - trans tetrahydrocannabinol, and its optical isomers;

(iii) Delta 1 - 3,4 - cis- or trans tetrahydrocannabinol, and its optical isomers;

(22) Ethylamine analog of phenecyclidine: Some trade or other names: N-ethyl-1-phenycyclohexylamine, (1-phenycyclohexyl)ethylamine, N-(1-phenycyclohexyl)ethylamine, cyclohexanemethylamine, PCE;

(23) Pyrrolidine analog of phenecyclidine: Some trade or other names: 1-(1-phenecyclohexyl)pyrrolidine, PCEP; HPNP;

(24) Thiophene analog of phenecyclidine: Some trade or other names: 1-[(2-thienyl)cyclohexyl]-piperidine; 2-bietylalalanog of phenecyclidine: TCP, TCP.

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

(1) Mecloqualone;

(2) Methaqualone;

(f) Stimulants. 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, including its salts, isomers, and salts of isomers:

(1) Fenetyline;

(2) N-ethylamphetamine;

(3) 3-methylfenetyline (N-(3-methyl-1-(2-phenethyl)-4-piperidyl)-N-phenylethylamine), its optical and geometric isomers, salts and salts of isomers;

(4) 3,4-methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts and salts of isomers;

(5) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical isomers, salts, and salts of isomers;

(6) 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (PEAP), its optical isomers, salts and salts of isomers. [1986 c 124 § 3, 1980 c 138 § 1; 1971 exs. c 308 § 69.50.204.]

State board of pharmacy may change schedules of controlled substances RCW 69.50.201.

69.50.205 Schedule II tests. The state board of pharmacy shall place a substance in Schedule II if it finds that:

(1) the substance has high potential for abuse;

(2) the substance has currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions; and

(3) the abuse of the substance may lead to severe psychic or physical dependence. [1971 exs. c 308 § 69.50.205.]

69.50.206 Schedule II. (a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule II.

(b) Substances. (Vegetable origin or chemical synthesis.) Unless specifically excepted, any of the following substances, except those listed in other schedules, whether produced directly or indirectly by extraction from or synthesis of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrophan, nalbuphine, naloxone, and naltrexone, and their respective salts, but including the following:

(i) Raw opium;

(ii) Opium extracts;

(iii) Opium fluid extract;

(iv) Powdered opium;

(v) Granulated opium;

(vi) Tincture of opium;

(vii) Codeine;

(viii) Ethylmorphine;

(ix) Etorphine hydrochloride;

(x) Hydrocodone;

(xi) Hydrocortisone;

(xii) Metopon;

(xiii) Mepropine;

(xiv) Osicodone;

(xv) Oxyntriptone; and

(xvi) Thebaine.

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (b)(1) of this section, but not including the isoquinidine alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) 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 the substances referred to in paragraph (b)(1) of this section, but not including the isoquinidine alkaloids of opium.
equivalent or identical with any of these substances, but not including deacetylated coca leaves or extractions which do not contain cocaine or ecgonine.

(5) Methylbenzylcgonine (cocaine — its salts, optical isomers, and salts of optical isomers).

(6) Concentrate of poppy straw (The crude extract of poppy straw in either liquid, solid, or powder form which contains the pharmacline alkaloids of the opium poppy.)

(7) Opiates. Unless specifically excepted or unless in another schedule, any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, ether, and salts is possible within the specific chemical designations, dextrophan and levopropoxyphene excepted:

(1) Alphaprodine;
(2) Anileridine;
(3) Bezatramide;
(4) Bulk dextropropoxyphene (nondosage forms);
(5) Dihydrocodeine;
(6) Diphenoxylate;
(7) Fenestyl;
(8) Isometadione;
(9) Levomenthorphan;
(10) Levophenidol;
(11) Metazocine;
(12) Methadone;
(13) Methadone — Intermediate, 4-cyano-2-dimethylamino-4, 3-diphenyl butane;
(14) Moramide — Intermediate, 2-methyl-3-normorpholino-1, 1-diphenyl propane-carboxylic acid;
(15) Pethidine (meperidine);
(16) Pethidine — Intermediate— A, 4-cyano-1-methyl-4-phenylpiperidine;
(17) Pethidine — Intermediate— B, ethyl-4-phenylpiperidine-4-carboxylic acid;
(18) Pethidine — Intermediate— C, 1-methyl-4 phenylpiperidine-4-carboxylic acid;
(19) Phenazocine;
(20) Pimidodine;
(21) Racemethorphan;
(22) Racemorphphan;
(23) Sufentanil.

(8) Stimulants. 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:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
(2) Methamphetamine, its salts, optical isomers, and salts of its isomers;
(3) Phenmetrazine and its salts;
(4) Methyldifenidate.

(9) 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:

(1) Amobarbital;
(2) Phenobarbital;
(3) Phencyclidine;
(4) Secobarbital.

(10) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine:

(2) Phenylacetone: Some trade or other names: phenyl-2-propanone, P2P, benzyl methyl ketone, methyl benzyl ketone.

(3) Immediate precursors to phenytoine (PCP):

(4) 1-piperidino-2-carboxylic acid (PCC).

State board of pharmacy may change schedules of controlled substances: RCW 69.50.010.

69.50.077 Schedule III tests. The state board of pharmacy shall place a substance in Schedule III if it finds that:

(1) the substance has a potential for abuse less than the substances listed in Schedules I and II;
(2) the substance has currently accepted medical use in treatment in the United States; and
(3) abuse of the substance may lead to moderate or low physical dependence or high psychological dependence. [1971 c 308 § 69.50.077]

69.50.088 Schedule III. (a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule III.

(b) Stimulants. 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, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations are referred to as excepted compounds in Schedule III as published in 21 CFR 1308.13(b)(1) as of April 1, 1985, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances:

(2) Benzetamine;
(3) Chlorphenetermine;
(4) Clortermine;
(5) Fenlindotrazine.

(c) 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:

(1) Amobarbital;
(2) Phenobarbital;
(3) Phencyclidine;
(4) Secobarbital.

(2) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine:

(2) Phenylacetone: Some trade or other names: phenyl-2-propanone, P2P, benzyl methyl ketone, methyl benzyl ketone.

(3) Immediate precursors to phenytoine (PCP):

(4) 1-piperidino-2-carboxylic acid (PCC).

State board of pharmacy may change schedules of controlled substances: RCW 69.50.010.

69.50.077 Schedule III tests. The state board of pharmacy shall place a substance in Schedule III if it finds that:

(1) the substance has a potential for abuse less than the substances listed in Schedules I and II;
(2) the substance has currently accepted medical use in treatment in the United States; and
(3) abuse of the substance may lead to moderate or low physical dependence or high psychological dependence. [1971 c 308 § 69.50.077]
mixture, or preparation which contains any quantity of
the following substances having a depressant effect on
the central nervous system:
(1) Any compound, mixture, or preparation containing:
(i) Amylobarbital;
(ii) Secobarbital;
(iii) Pentobarbital;
or any salt thereof and one or more other active medicinal
ingredients which are not listed in any schedule;
(2) Any suppository dosage form containing:
(i) Amylobarbital;
(ii) Secobarbital;
(iii) Pentobarbital;
or any salt of any of these drugs and approved by the
Food and Drug Administration for marketing only as a
suppository;
(3) Any substance which contains any quantity of a
derivative of barbituric acid, or any salt of a derivative of
barbituric acid;
(4) Chlorhexadene;
(5) Glutethimide;
(6) Lysergic acid;
(7) Lysergic acid amide;
(8) Methylphenidate;
(9) Sulfonfrenethimide;
(10) Sulfonylurea;
(11) Sulfonylurea;
(12) Sodium.
(c) Narcotic drugs. Unless specifically excepted or
unless listed in another schedule, any material, compound,
mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts
thereof calculated as the free anhydrous base or alkaloid, in limited quantities as set forth in paragraph (e) of
this section:
(1) Not more than 1.8 grams of codeine per 100 milli-
liters or not more than 90 milligrams per dosage unit,
with an equal or greater quantity of an isoquinoline al-
lkaloid of opium;
(2) Not more than 1.8 grams of codeine per 100 milli-
liters or not more than 90 milligrams per dosage unit,
with one or more active, nonnarcotic ingredients in rec-
ognized therapeutic amounts;
(3) Not more than 300 milligrams of dihydrocode-
inite per 100 milliliters or not more than 15 milligrams
per dosage unit, with a fourfold or greater quantity of an
isoquinoline alkaloid of opium;
(4) Not more than 300 milligrams of dihydrocode-
inite per 100 milliliters or not more than 15 milligrams
per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
(5) Not more than 1.8 grams of dihydrocodeine per
100 milliliters or not more than 90 milligrams per dosage
unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
(6) Not more than 300 milligrams of ethylmorphine per
100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
(7) Not more than 500 milligrams of opium per 100
milliliters or per 100 grams, or not more than 25 milli-
grams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
(8) Not more than 50 milligrams of morphine per 100
milliliters or per 100 grams with one or more active,
narcotic ingredients in recognized therapeutic amounts.
[1960 c 124 § 3; 1960 c 139 § 3; 1971 e.s.s. c 3
308 § 69.50.208.]
State board of pharmacy may change schedules of controlled sub-
stances. RCW 69.20.209.

69.50.209 Schedule IV tests. The state board of
pharmacy shall place a substance in Schedule IV if it
finds that:
(1) The substance has a low potential for abuse rela-
tive to substances in Schedule III;
(2) The substance has a currently accepted medical use
in treatment in the United States, and
(3) Abuse of the substance may lead to limited physi-
ical dependence or psychological dependence relative to
the substances in Schedule III. [1971 e.s.s. c 308 §
69.50.209.]

69.50.210 Schedule IV. (a) The drugs and other
substances listed in this section, by whatever official
name, common or usual name, chemical name, or brand
name designated, are included in Schedule IV.
(b) Narcotic drugs. Unless specifically excepted or
unless listed in another schedule, any material, compound,
mixture, or preparation which contains any of the following narcotic drugs, or their salts calculated as the
free anhydrous base or alkaloid, in limited quantities as
set forth below:
(1) Not more than 1 milligram of diphenoxylate and not
less than 25 micrograms of atropine sulfate per dosage
unit.
(2) Dextropropoxyphene (alpha-+(+)-3-dimethyl-
amin-1,2-diphenyl-3-methyl-2-propanoxybutane).
(c) Depressants. Unless specifically excepted or unless
listed in another schedule, any material, compound,
mixture, or preparation which contains any quantity of the
following substances, including its salts, isomers, and
salts of isomers and isomers and salts of such salts,
alisomer, and salts of isomers is possible within the
specific chemical designation:
(1) Alprazolam;
(2) Barbiturate;
(3) Chloral compound;
(4) Chloral hydrate;
(5) Chloralhydrate;
(6) Clonazepam;
(7) Clorazepate;
(8) Diazepam;
(9) Ethchlorvynol;
(10) Ethylmorphine;
(11) Fluoxetine;
(12) Halazepam;
(13) Lorazepam;
(14) Mebutamate;
(15) Meprobamate;
69.50.210 Schedule V tests. The state board of pharmacy shall place a substance in Schedule V if it finds that:

(1) the substance has low potential for abuse relative to the controlled substances listed in Schedule IV;

(2) the substance has currently accepted medical use in treatment in the United States; and

(3) the substance has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV. [1971 ex.s. c 308 § 69.50.211.]

69.50.212 Schedule V. (a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designation, are included in Schedule V.

(b) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth in this section, which shall include one or more nonnarcotic 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:

1. Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

2. Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

3. Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

4. Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

5. Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

6. Not more than 0.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

7. Butorphanol, [1986 c 124 § 7; 1980 c 138 § 5;

State board of pharmacy may change schedules of controlled substances. RCW 69.50.201.

69.50.213 Republishing of schedules. The state board of pharmacy shall at least semiannually for two years from May 21, 1971; and thereafter annually consider the revision of the schedules published pursuant to chapter 34.05 RCW. [1969 ex.s. c 308 § 69.50.213.]

ARTICLE III  REGULATION OF MANUFACTURE, DISTRIBUTION, AND DISPENSING OF CONTROLLED SUBSTANCES

69.50.301 Rules. The state board of pharmacy may promulgate rules and the secretary may set fees of not less than ten dollars or more than fifty dollars relating to the registration and control of the manufacture, distribution, and dispensing of controlled substances within this state. [1989 1st ex.s. c 9 § 431; 1971 ex.s. c 308 § 69.50.301.]

Effective date—Severability—1989 1st ex.s. c 9: See RCW 43.70.940 and 43.70.920.

69.50.302 Registration requirements. (a) Every person who manufactures, distributes, or dispenses any controlled substance within this state or who proposes to engage in the manufacture, distribution, or dispensing of any controlled substance within this state, must obtain annually a registration issued by the department in accordance with the board's rules.

(b) Persons registered by the department under this chapter to manufacture, distribute, dispense, or conduct research with controlled substances may possess, manufacture, distribute, dispense, or conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of this Article.

[Title 69 RCW—p 60]