

PURSUANT TO SECTION 481.040, HEALTH AND SAFETY
CODE, THE SCHEDULES OF THE TEXAS CONTROLLED SUBSTANCES
ACT ARE HEREBY REPUBLISHED BY FILING WITH THE SECRETARY OF STATE
December 31, 1990

[NOTE 1: The text of the Texas Controlled Substances Act, Article 4476-15, Vernon's Texas Civil Statutes, was non-substantively recodified by Chapter 678, Acts of the 71st Legislature, Regular Session, 1989. Chapter 678 also repealed the text of the Act as it was found in Article 4476-15. The Act is now found in Chapter 481, Health and Safety Code, that was effective on September 1, 1989.]

During the same legislative session, Article 4476-15 was substantively amended by Chapter 403 to add growth hormones and certain anabolic steroids and the isomers, esters, salts or derivatives of those anabolic steroids to Schedule IV. The amending chapter, 403 was itself non-substantively recodified in the same legislative session by Chapter 1100, Acts of the 71st Legislature, Regular Session, 1989. The text of the amendment is now found in Section 481.035(5) of the current edition (1991) in the Health and Safety Code.]

[NOTE 2: The substances marked with an "*" have been placed in the schedules by order of the Commissioner of Health in accordance with Section 481.038 of the Health and Safety Code. The substances added by the Commissioner were not included in the text of the recodified schedules found in the Health and Safety Code that became effective on September 1, 1989.]

[NOTE 3: This republication of the schedules reflects the changes of the schedules that have occurred since the last republication by the Commissioner on February 28, 1989. Additional information can be obtained by contacting the Texas Department of Health, Division of Food and Drugs, 1100 West 49th Street, Austin, Texas 78756. The telephone number is (512) 458-7248.]

SUBCHAPTER B. SCHEDULES

§481.031. Nomenclature

Controlled substances listed in Schedules I through V and Penalty Groups 1 through 4 are included by whatever official, common, usual, chemical, or trade name they may be designated.

§481.032. Schedule I

(a) Schedule I consists of:

(1) the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

*Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide)

Allylprodine;

Alpha-methylfentanyl or another derivative of Fentanyl;

*Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

Benzethidine;

*Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

*Beta-hydroxy-3-methylfentanyl (N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);

Betaprodine;

Clonitazene;

Diampromide;

Diethylthiambutene;

Difenoxin;

Dimenoxadol;

Dimethylthiambutene;

Dioxaphetyl butyrate;

Dipipanone;

Ethylmethylthiambutene;

Etonitazene;

Etoxadine;

Furethidine;

Hydroxypethidine;
Ketobemidone;
Levophenacymorphan;
Meprodine;
Methadol;
*3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);
*3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
Moramide;
Morpheridine;
*MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
Noracymethadol;
Norlevorphanol;
Normethadone;
Norpipanone;
*Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide);
*PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
Phenadoxone;
Phenampromide;
Phencyclidine;
Phenomorphane;
Phenoperidine;
Piritramide;
Proheptazine;
Properidine;
Propiram;
*Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);
Tilidine; and

Trimeperidine;

(2) the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, if the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine;

Acetyldihydrocodeine;

Benzylmorphine;

Codeine methylbromide;

Codeine-N-Oxide;

Cyprenorphine;

Desomorphine;

Dihydromorphine;

Drotebanol;

Etorphine (except hydrochloride salt);

Heroin;

Hydromorphenol;

Methyldesorphine;

Methyldihydromorphine;

Monoacetylmorphine;

Morphine methylbromide;

Morphine methylsulfonate;

Morphine-N-Oxide;

Myrophine;

Nicocodeine;

Nicomorphine;

Normorphine;

Pholcodine; and

Thebacon;

(3) 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:

4-bromo-2, 5-dimethoxyamphetamine (some trade or other names: 4-bromo-2, 5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2, 5-DMA);

2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);

5-methoxy-3, 4-methylenedioxy amphetamine;

4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);

1-methyl-4-phenyl-1,2,5,6-tetrahydro-pyridine (MPTP);

4-methyl-2, 5-dimethoxyamphetamine (some trade and other names: 4-methyl-2, 5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP");

3, 4-methylenedioxy amphetamine;

3, 4-methylenedioxy methamphetamine (MDMA, MDM);

3, 4, 5-trimethoxy amphetamine;

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);

Diethyltryptamine (some trade and other names: N, N-Diethyltryptamine, DET);

Dimethyltryptamine (some trade and other names: DMT);

Ethylamine Analog of Phencyclidine (some trade or

other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine; cyclohexamine; PCE);

Ibogaine (some trade or other names: 7-Ethyl-6,6,beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9-methano-5H-pyrido [1',2':1,2] azepino [5,4-b] indole; tabernanthe iboga);

Lysergic acid diethylamide;

Marihuana;

Mescaline;

N-ethyl-3-piperidyl benzilate;

N-methyl-3-piperidyl benzilate;

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);

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;

Psilocybin;

Psilocin;

Pyrrolidine Analog of Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP);

Synthetic equivalents of the substances contained in the plant Cannabis, or in the resinous extractives of that plant, and synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as:

delta-1 cis or trans tetrahydrocannabinol, and their optical isomers;

delta-6 cis or trans tetrahydrocannabinol, and their optical isomers;

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

(Compounds of these structures, regardless of numerical designation of atomic positions, since nomenclature of these substances is not internationally standardized);

Tetrahydrocannabinols;

Thiophene Analog of Phencyclidine (some trade or other names: 1-[1-(2-thienyl)cyclohexyl] piperidine; 2-Thienyl Analog of Phencyclidine; TPCP); and

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

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

Fenethylamine;

Mecloqualone;

Methaqualone; and

N-ethylamphetamine;

(5) temporary listing of substances subject to emergency scheduling by the Federal Drug Enforcement Administration, and any material, compound, mixture, or preparation that contains any quantity of the following substances:

N, N-dimethylamphetamine (some trade or other names: N,N,alpha- trimethylbenzeneethaneamine; N,N,alpha-trimethylphenethylamine; including its salts, optical isomers, and salts of optical isomers);

4-methylaminorex;

3, 4-methylenedioxy N-ethylamphetamine (Also known as N-ethyl MDA);

N-hydroxy-3,4-methylenedioxyamphetamine (Also known as N-hydroxy MDA);

(b) For the purposes of Subsection (a)(3) only, the term "isomer" includes optical, position, and geometric isomers.

§481.033. Schedule II

Schedule II consists of:

(1) the following substances, however produced, except those narcotic drugs listed in other schedules:

(A) Opium and opiate, and a salt, compound, derivative, or preparation of opium or opiate, other than naloxone and its salts, naltrexone and its salts, and nalmefene and its salts, but including:

Codeine;

Ethylmorphine;

Etorphine hydrochloride;

Granulated opium;

Hydrocodone;

Hydromorphone;

Metopon;

Morphine;

Opium extracts;
Opium fluid extracts;
Oxycodone;
Oxymorphone;
Powdered opium;
Raw opium;
Thebaine; and
Tincture of opium;

(B) a salt, compound, isomer, derivative, or preparation of a substance that is chemically equivalent or identical to a substance described by Paragraph (A), other than the isoquinoline alkaloids of opium;

(C) Opium poppy and poppy straw;

(D) Cocaine, including:

(i) its salts, its optical, position, and geometric isomers, and the salts of those isomers; and

(ii) coca leaves and a salt, compound, derivative, or preparation of coca leaves that is chemically equivalent or identical to a substance described by this subparagraph or Subparagraph (i), other than decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine; and

(E) Concentrate of poppy straw, meaning the crude extract of poppy straw in liquid, solid, or powder form that contains the phenanthrine alkaloids of the opium poppy;

(2) the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

*Alfentanil;
Alphaprodine;
Anileridine;
Bezitramide;

*Carfentanil;
Dextropropoxyphene, bulk (nondosage form);
Dihydrocodeine;
Diphenoxylate;
Fentanyl;
Isomethadone;
Levomethorphan;
Levorphanol;
Metazocine;
Methadone;
Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
4-diphenyl butane;
Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-
diphenyl-propane-carboxylic acid;
Pethidine;
Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phen-
nylpiperidine;
Pethidine-Intermediate-B, ethyl-4-phenylpiperi-
dine-4-carboxylate;
Pethidine-Intermediate-C, 1-methyl-4-phenylpiperi-
dine-4-carboxylic acid;
Phenazocine;
Piminodine;
Racemethorphan;
Racemorphan; and
Sufentanil;

(3) unless listed in another schedule and except as provided by Section 481.037, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

Amphetamine, its salts, optical isomers, and salts

of its optical isomers;

Methamphetamine, including its salts, optical isomers, and salts of optical isomers;

Methylphenidate and its salts; and

Phenmetrazine and its salts;

(4) unless listed in another schedule, a material, compound, mixture or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including 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:

Amobarbital;

Pentobarbital; and

Secobarbital;

(5) Hallucinogenic substances:

*Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product. (Some other names for dronabinol: (6 aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)-tetrahydrocannabinol); and

*Nabilone (Another name for nabilone: (+)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo [b,d]pyran-9-one);

(6) unless specifically excepted or listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances:

Immediate precursor to methamphetamine:

Phenylacetone and methylamine if possessed together with intent to manufacture methamphetamine;

Immediate precursor to amphetamine and

methamphetamine:

Phenylacetone (some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone); and

Immediate precursors to phencyclidine (PCP):

1-phenylcyclohexylamine; and

1-piperidinocyclohexanecarbonitrile (PCC).

§481.034. Schedule III

Schedule III consists of:

(1) unless listed in another schedule and except as provided by Section 481.037, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

a compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any of their salts and one or more active medicinal ingredients that are not listed in a schedule;

a suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any of their salts and approved by the Food and Drug Administration for marketing only as a suppository;

a substance that contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances that are specifically listed in other schedules;

Chlorhexadol;

Glutethimide;

Lysergic acid;

Lysergic acid amide;

Methyprylon;

Sulfondiethylmethane;

Sulfonethylmethane;

Sulfonmethane; and

*Tiletamine and zolazepam or any salt thereof. Some trade or other names for a tiletamine-zolazepam combination product: Telazol. Some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e][1,4]-diazepin-7(1H)-one, flupyrzapon.

(2) Nalorphine;

(3) a material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any of their salts:

not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 300 milligrams of dihydrocodeinone, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

not more than 300 milligrams of dihydrocodeinone, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;

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, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; and

(4) unless listed in another schedule, a material, compound, mixture or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including the substance's salts, optical, position, or geometric isomers, and salts of the substance's isomers, if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation:

Benzphetamine;
Chlorphentermine;
Clortermine; and
Phendimetrazine.

§481.035. Schedule IV

Schedule IV consists of:

(1) except as provided by Section 481.037, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

Alprazolam;
Barbital;
*Bromazepam;
*Camazepam;
Chloral betaine;
Chloral hydrate;

Chlordiazepoxide;
*Clobazam;
Clonazepam;
Clorazepate;
*Clotiazepam;
*Cloxazolam;
*Delorazepam;
Diazepam;
*Estazolam;
Ethchlorvynol;
Ethinamate;
*Ethyl loflazepate;
*Fludiazepam;
*Flunitrazepam;
Flurazepam;
Halazepam;
*Haloxazolam;
*Ketazolam;
*Loprazolam;
Lorazepam;
*Lormetazepam;
Mebutamate;
*Medazepam;
Meprobamate;
Methohexital;
Methylphenobarbital;
*Midazolam;
*Nimetazepam;
*Nitrazepam;
*Nordiazepam;
Oxazepam;
*Oxazolam;

Paraldehyde;
Petrichloral;
Phenobarbital;
*Pinazepam;
Prazepam;
*Quazepam;
Temazepam;
*Tetrazepam; and
Triazolam;

(2) unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including the substance's salts, optical, position, or geometric isomers, and salts of those isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation:

*Cathine [(+)-norpseudoephedrine];
Diethylpropion;
*Fencamfamin;
Fenfluramine;
*Fenproporex;
Mazindol;
*Mefenorex;
Pemoline (including organometallic complexes and their chelates);
Phentermine;
Pipradrol; and
SPA [(-)-1-dimethylamino-1,2-diphenylethane];

(3) unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances, including the substance's salts:

Pentazocine, its salts, derivatives, compounds, or mixtures;

(4) unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation containing limited quantities of the following narcotic drugs or their salts:

Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit; and

Dextropropoxyphene (Alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane);

(5) any human growth hormone or any of the following anabolic steroids, or any isomer, ester, salt, or derivative of the following that acts in the same manner on the human body:

Clostebol;
Dehydrochlormethyltestosterone;
Ethylestrenol;
Fluoxymesterone;
Mesterolone;
Methandienone;
Methandrostenolone;
Methenolone;
Methyltestosterone;
Nandrolone;
Norethandrolone;
Oxandrolone;
Oxymesterone;
Oxymetholone;
Stanozolol; and
Testosterone.

§481.036. Schedule V

(a) Schedule V consists of:

(1) unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation containing any of the following narcotic drugs and their salts:

*Buprenorphine;

(2) a compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs that also contain one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer on the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

Not more than 200 milligrams of codeine, or any of its salts, per 100 milliliters or per 100 grams;

Not more than 100 milligrams of dihydrocodeine, or any of its salts, per 100 milliliters or per 100 grams;

Not more than 100 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or per 100 grams;

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

Not more than 15 milligrams of opium per 29.5729 milliliters or per 28.35 grams; and

Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

(3) unless specifically exempted or excluded or unless listed in another schedule, a 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:

*Propylhexedrine; and

*Pyrovalerone.