

[First Reprint]
SENATE, No. 1772

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1997

By Senators KYRILLOS, SINAGRA, Inverso, Matheussen,
Kosco and Palaia

1 AN ACT concerning ketamine hydrochloride and amending P.L.1970,
2 c.226.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 ¹[1. Section 6 of P.L.1970, c.226 (C.24:21-6) is amended to read
8 as follows:

9 6. a. Tests. The commissioner shall place a substance in Schedule
10 II if he finds that the substance: (1) has high potential abuse; (2) has
11 currently accepted medical use in treatment in the United States, or
12 currently accepted medical use with severe restrictions; and (3) abuse
13 may lead to severe psychic or physical dependence.

14 b. The controlled dangerous substances listed in this section are
15 included in Schedule II, subject to any revision and republishing by the
16 commissioner pursuant to section 3d, and except to the extent
17 provided in any other schedule.

18 c. Any of the following substances except those narcotic drugs
19 listed in other schedules whether produced directly or indirectly by
20 extraction from substances of vegetable origin, or independently by
21 means of chemical synthesis, or by combination of extraction and
22 chemical synthesis:

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

25 (2) Any salt, compound, derivative, or preparation thereof which
26 is chemically equivalent or identical with any of the substances referred
27 to in clause 1, except that these substances shall not include the
28 isoquinoline alkaloids of opium.

29 (3) Opium poppy and poppy straw.

30 (4) Coca leaves and any salt, compound, derivative, or preparation

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHH committee amendments adopted January 23, 1997.

1 of coca leaves, and any salt, compound, derivative, or preparation
2 thereof which is chemically equivalent or identical with any of these
3 substances, except that the substances shall not include decocainized
4 coca leaves or extractions which do not contain cocaine or ecogine.

5 (5) Ketamine hydrochloride.

6 d. Any of the following opiates, including their isomers, esters,
7 ethers, salts, and salts of isomers, esters and ethers, unless specifically
8 excepted, whenever the existence of such isomers, esters, ethers, and
9 salts is possible within the specific chemical designation:

- 10 (1) Alphaprodine
- 11 (2) Anileridine
- 12 (3) Bezitramide
- 13 (4) Dihydrocodeine
- 14 (5) Diphenoxylate
- 15 (6) Fentanyl
- 16 (7) Isomethadone
- 17 (8) Levomethorphan
- 18 (9) Levorphanol
- 19 (10) Metazocine
- 20 (11) Methadone
- 21 (12) Methadone--Intermediate, 4-cyano-2-dimethylamino-4,
22 4-diphenyl butane
- 23 (13) Moramide--Intermediate, 2-methyl-3-morpholino-1,
24 1-diphenyl-propane-carboxylic acid
- 25 (14) Pethidine
- 26 (15) Pethidine--Intermediate--A, 4-cyano-1-methyl-4-phenylpiperidine
- 27 (16) Pethidine--Intermediate--B, ethyl-4-phenylpiperidine-4-
28 carboxylate
- 29 (17) Pethidine--Intermediate--C, 1-methyl-4-phenylpiperidine-4-
30 carboxylic acid
- 31 (18) Phenazocine
- 32 (19) Piminodine
- 33 (20) Racemethorphan
- 34 (21) Racemorphan.

35 (cf: P.L.1970, c.226, s.6)]¹

36
37 ¹1. Section 7 of P.L.1970, c.226 (C.24:21-7) is amended to read
38 as follows:

39 a. Tests. The commissioner shall place a substance in Schedule III
40 if he finds that the substance: (1) has a potential for abuse less than
41 the substances listed in Schedules I and II; (2) has currently accepted
42 medical use in treatment in the United States; and (3) abuse may lead
43 to moderate or low physical dependence or high psychological
44 dependence.

45 b. The controlled dangerous substances listed in this section are
46 included in Schedule III, subject to any revision and republishing by

1 the commissioner pursuant to section 3d., and except to the extent
2 provided in any other schedule.

3 c. Any material, compound, mixture, or preparation which contains
4 any quantity of the following substances associated with a stimulant
5 effect on the central nervous system:

6 (1) Amphetamine, its salts, optical isomers, and salts of its optical
7 isomers.

8 (2) Phenmetrazine and its salts.

9 (3) Any substance which contains any quantity of
10 methamphetamine, including its salts, isomers, and salts of isomers.

11 (4) Methylphenidate.

12 d. Any material, compound, mixture, or preparation which contains
13 any quantity of the following substances having a potential for abuse
14 associated with a depressant effect on the central nervous system:

15 (1) Any substance which contains any quantity of a derivative of
16 barbituric acid, or any salt of a derivative of barbituric acid, except
17 those substances which are specifically listed in other schedules

18 (2) Chlorhexadol

19 (3) Glutethimide

20 (4) Lysergic acid

21 (5) Lysergic acid amide

22 (6) Methyprylon

23 (7) Phencyclidine

24 (8) Sulfondiethylmethane

25 (9) Sulfonethylmethane

26 (10) Sulfonmethane

27 (11) Ketamine hydrochloride.

28 e. Nalorphine.

29 f. Any material, compound, mixture, or preparation containing
30 limited quantities of any of the following narcotic drugs, or any salts
31 thereof:

32 (1) Not more than 1.80 grams of codeine or any of its salts per 100
33 milliliters or not more than 90 milligrams per dosage unit, with an
34 equal or greater quantity of an isoquinoline alkaloid of opium.

35 (2) Not more than 1.80 grams of codeine or any of its salts per 100
36 milliliters or not more than 90 milligrams per dosage unit, with one or
37 more active, nonnarcotic ingredients in recognized therapeutic amount.

38 (3) Not more than 300 milligrams of dihydrocodeinone or any of its
39 salts per 100 milliliters or not more than 15 milligrams per dosage
40 unit, with a four-fold or greater quantity of an isoquinoline alkaloid of
41 opium.

42 (4) Not more than 300 milligrams of dihydrocodeinone or any of its
43 salts per 100 milliliters or not more than 15 milligrams per dosage
44 unit, with one or more active, nonnarcotic ingredients in recognized
45 therapeutic amounts.

1 (5) Not more than 1.80 grams of dihydrocodeine or any of its salts
2 per 100 milliliters or not more than 90 milligrams per dosage unit, with
3 one or more active, nonnarcotic ingredients in recognized therapeutic
4 amounts.

5 (6) Not more than 300 milligrams of ethylmorphine or any of its
6 salts per 100 milliliters or not more than 15 milligrams per dosage unit,
7 with one or more active, nonnarcotic ingredients in recognized
8 therapeutic amounts.

9 (7) Not more than 500 milligrams of opium or any of its salts per
10 100 milliliters or per 100 grams, or not more than 25 milligrams per
11 dosage unit, with one or more active, nonnarcotic ingredients in
12 recognized therapeutic amounts.

13 (8) Not more than 50 milligrams of morphine or any of its salts per
14 100 milliliters or per 100 grams with one or more active, nonnarcotic
15 ingredients in recognized therapeutic amounts.

16 g. The commissioner may by regulation except any compound,
17 mixture, or preparation containing any stimulant or depressant
18 substance listed in subsections a. and b. of this schedule from the
19 application of all or any part of this act if the compound, mixture, or
20 preparation contains one or more active medicinal ingredients not
21 having a stimulant or depressant effect on the central nervous system;
22 provided, that such admixtures shall be included therein in such
23 combinations, quantity, proportion, or concentration as to vitiate the
24 potential for abuse of the substances which do have a stimulant or
25 depressant effect on the central nervous system.¹

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27 2. This act shall take effect immediately.

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32 _____
33 Designates ketamine hydrochloride as a controlled dangerous
substance.