

Calendar No. 122

112TH CONGRESS
1ST SESSION**S. 605**

To amend the Controlled Substances Act to place synthetic drugs in Schedule I.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2011

Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. HATCH, Ms. KLOBUCHAR, Mr. MANCHIN, Mrs. HAGAN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. CASEY, Mr. BLUMENTHAL, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

JULY 29, 2011

Reported by Mr. LEAHY, without amendment

A BILL

To amend the Controlled Substances Act to place synthetic drugs in Schedule I.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dangerous Synthetic
5 Drug Control Act of 2011” or the “David Mitchell Rozga
6 Act”.

1 **SEC. 2. ADDITION OF CANNABIMIMETIC AGENTS TO SCHED-**
2 **ULE I OF THE CONTROLLED SUBSTANCES**
3 **ACT.**

4 Schedule I, as set forth in section 202(c) of the Con-
5 trolled Substances Act (21 U.S.C. 812(c)) is amended by
6 adding at the end the following:

7 “(d)(1) Unless specifically exempted or unless listed
8 in another schedule, any material, compound, mixture, or
9 preparation which contains any quantity of cannabimimet-
10 ic agents, their salts, isomers, and salts of isomers when-
11 ever the existence of such salts, isomers, and salts of iso-
12 mers is possible within the specific chemical designation.

13 “(2) In paragraph (1), the term ‘cannabimimetic
14 agents’—

15 “(A) means any substance that is a cannabinoid
16 receptor type 1 (CB1 receptor) agonist as dem-
17 onstrated by binding studies and functional assays
18 within the following structural classes:

19 “(i) 2-(3-hydroxycyclohexyl)phenol with
20 substitution at the 5-position of the phenolic
21 ring by alkyl or alkenyl, whether or not sub-
22 stituted on the cyclohexyl ring to any extent.

23 “(ii) 3-(1-naphthoyl)indole or 3-(1-naph-
24 thyl)indole by substitution at the nitrogen atom
25 of the indole ring, whether or not further sub-
26 stituted on the indole ring to any extent, wheth-

er or not substituted on the naphthoyl or naphthyl ring to any extent.

“(iii) 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the naphthoyl ring to any extent.

“(iv) 1-(1-naphthylmethyl)indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.

“(v) 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent.; and

“(B) includes—

“(i) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497);

“(ii) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol or CP-47,497 C8-homolog);

- 1 “(iii) 1-pentyl-3-(1-naphthoyl)indole
- 2 (JWH-018 and AM678);
- 3 “(iv) 1-butyl-3-(1-naphthoyl)indole (JWH-
- 4 073);
- 5 “(v) 1-hexyl-3-(1-naphthoyl)indole (JWH-
- 6 019);
- 7 “(vi) 1-[2-(4-morpholinyl)ethyl]-3-(1-naph-
- 8 thoyl)indole (JWH-200);
- 9 “(vii) 1-pentyl-3-(2-methoxyphenyl-
- 10 acetyl)indole (JWH-250);
- 11 “(viii) 1-pentyl-3-[1-(4-methoxynaph-
- 12 thoyl)]indole (JWH-081);
- 13 “(ix) 1-pentyl-3-(4-methyl-1-naph-
- 14 thoyl)indole (JWH-122);
- 15 “(x) 1-pentyl-3-(4-chloro-1-naph-
- 16 thoyl)indole (JWH-398);
- 17 “(xi) 1-(5-fluoropentyl)-3-(1-naph-
- 18 thoyl)indole (AM2201);
- 19 “(xii) 1-(5-fluoropentyl)-3-(2-iodoben-
- 20 zoyl)indole (AM694);
- 21 “(xiii) 1-pentyl-3-[(4-methoxy-ben-
- 22 zoyl)]indole (SR-19 and RCS-4);
- 23 “(xiv) 1-cyclohexylethyl-3-(2-methoxy-
- 24 phenylacetyl)indole (SR-18 and RCS-8); and

1 “(xv) 1-pentyl-3-(2-chlorophenylace-
2 tyl)indole (JWH-203).”.

3 **SEC. 3. TEMPORARY SCHEDULING TO AVOID IMMINENT**
4 **HAZARDS TO PUBLIC SAFETY EXPANSION.**

5 Section 201(h)(2) of the Controlled Substances Act
6 (21 U.S.C. 811(h)(2)) is amended—

7 (1) by striking “one year” and inserting “2
8 years”; and

9 (2) by striking “six months” and inserting “1
10 year”.

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