

Project 8687 - Final

Board of Pharmacy

**June 2026 scheduling action to conform to federal scheduling changes September 2025
to May 2026**

18VAC110-20-323. Scheduling for conformity with federal law or rule.

Pursuant to subsection E of § 54.1-3443 of the Code of Virginia and in order to conform the Drug Control Act to recent scheduling changes enacted in federal law or rule, the board:

1. Replaces 4-anilino-N-phenethyl-4-piperidine (CASRN 21409-26-7) in Schedule II with 4-anilino-N-phenethylpiperidine (ANPP);
2. Deletes Samidorphan from Schedule II; ~~and~~
3. Adds the following chemicals into Schedule I:
 - a. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of a fentanyl-related substance or that contains the salts, isomers, and salts of isomers of a fentanyl-related substance whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.
 - b. For purposes of subdivision 3 a of this section, except as provided in subdivision 3 c of this section, the term "fentanyl-related substance" means any substance that is structurally related to fentanyl by one or more of the following modifications:
 - (1) By replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;
 - (2) By substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(3) By substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(4) By replacement of the aniline ring with any aromatic monocycle, whether or not further substituted in or on the aromatic monocycle; or

(5) By replacement of the N-propionyl group with another acyl group.

c. A substance that satisfies the definition of the term "fentanyl-related substance" in subdivision 3 b of this section shall not be treated as a fentanyl-related substance subject to Schedule I if the substance is expressly listed in a schedule other than Schedule I.

d. The absence of a substance from Schedule I in the Drug Control Act (§ 54.1-3400 et seq of the Code of Virginia) or board regulation does not negate the control status of the substance under Schedule I if the substance satisfies the definition of the term "fentanyl-related substance" in subdivision 3 b of this section and does not meet the exception requirement of subdivision 3 c of this section.

4. Adds the following chemicals to Schedule I, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

a. *Ortho*-chlorofentanyl (*N*-(2-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide).

b. *Meta*-fluorofentanyl (*N*-(3-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide).

c. *Ortho*-methylcyclopropyl fentanyl (*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide).

d. Beta-methylacetyl fentanyl (N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)acetamide).

e. Tetrahydrothiofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrothiophene-2-carboxamide).

5. Add the following benzimidazole-opioid substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible, to Schedule I:

a. 2-(2-((2,3-dihydrobenzofuran-5-yl)methyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine (commonly known as, ethyleneoxynitazene).

b. 2-(2-(benzodioxol-5-ylmethyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine (commonly known as, methylenedioxyntazene or 3',4'-methylenedioxyntazene).

c. 2-(2-(4-ethoxybenzyl)-5-methyl-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine (commonly known as, 5-methyl etodesnitazene).

d. N-ethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine (commonly known as, N-desethyl protonitazene).

e. 2-(2-(4-ethoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-dimethylethan-1-amine (commonly known as, N,N-dimethylamino etonitazene).

6. Adds the following Cannabimimetic agents to Schedule I:

a. (4-ethylnaphthalen-1-yl)(1-(5-fluoropentyl)-1H-indol-3-yl)methanone (EAM-2201).

b. (4-methoxynaphthalen-1-yl)(2-methyl-1-pentyl-1H-indol-3-yl)methanone (JWH-098).

c. 3-((4-methylnaphthalen-1-yl)methyl)-1-pentyl-1H-indole (JWH-184).

d. (4-methylnaphthalen-1-yl)(1-(2-morpholinoethyl)-1*H*-indol-3-yl)methanone (JWH-193).

e. (2-methyl-1-pentyl-1*H*-indol-3-yl)(naphthalen-1-yl)methanone (JWH-007).

f. naphthalen-1-yl(1-(pent-4-en-1-yl)-1*H*-indol-3-yl)methanone (JWH-022).

g. (1-hexyl-5-phenyl-1*H*-pyrrol-3-yl)(naphthalen-1-yl)methanone (JWH-147).

h. 2-(3-methoxyphenyl)-1-(1-pentyl-1*H*-indol-3-yl)ethan-1-one (JWH-302).

i. (5-(2-fluorophenyl)-1-pentyl-1*H*-pyrrol-3-yl)(naphthalen-1-yl)methanone (JWH-307).

j. (4-fluoronaphthalen-1-yl)(1-pentyl-1*H*-indol-3-yl)methanone (JWH-412).

k. (5-methyl-3-(morpholinomethyl)-2,3-dihydro-[1,4]oxazino[2,3,4-*h*]indol-6-yl)(naphthalen-1-yl)methanone (WIN 55,212-2).

l. 2-(5-hydroxy-2-(3-hydroxypropyl)cyclohexyl)-5-(2-methyloctan-2-yl)phenol (CP-55,940).

7. Adds the following hallucinogenic substance to Schedule I: 6,6,9-trimethyl-3-pentyl-6a,7,8,9,10,10a-hexahydro-6*H*-benzo[*c*]chromen-1-ol (also known as hexahydrocannabinol and HHC).