



STATE OF HAWAII
**NARCOTICS ENFORCEMENT
DIVISION**

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No. Posted at LT Gov office
8-25-14

August 25, 2014

NOTICE OF FEDERAL SCHEDULING ACTIONS

Section 329-11(d) of the Hawaii Revised Statutes (HRS) states that if a substance is added, deleted or rescheduled under federal law and notice of the designation is given to the department then the department shall recommend to the legislature that a corresponding change in Hawaii law be made.

On August 22, 2014, the Administrator of the Drug Enforcement Administration posted the final rule that reschedules hydrocodone combination products from schedule III to schedule II of the Federal Controlled Substances Act (Federal Register Volume 79, Number 163, August 22, 2014). This action imposes the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule II controlled substances on persons who handle (manufacture, distribute, dispense, import, export, engage in research, conduct instructional activities with, conduct chemical analysis with, or possess) or propose to handle hydrocodone combination products.

All products containing Hydrocodone will be classified as a Schedule II controlled substance under Section 329-16(b)(1)(I) HRS and deleted from Section 329-18(e) HRS in accordance with Section 329-11(d) HRS.

Section 329-18, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

§329-18 Schedule III. (a) The controlled substances listed in this section are included in schedule III.

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts, or alkaloid, in limited quantities as set forth below:

- (1) 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;
- (2) 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;
- ~~(3) Not more than 300 milligrams of dihydrocodeinone (Hydrocodone), 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~~

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~~of opium provided that these narcotic drugs shall be monitored pursuant to section 329-101;~~

- ~~(4)~~ Not more than 300 milligrams of dihydrocodeinone (Hydrocodone), 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 provided that these narcotic drugs shall be monitored pursuant to section 329-101;
- ~~(5)~~(3) 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;
- ~~(6)~~(4) 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;
- ~~(7)~~(5) 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;
- ~~(8)~~(6) 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
- ~~(9)~~(7) Buprenorphine.

This Federal scheduling change shall take effect on **October 6, 2014**; the State will follow DEA's effective date.