November 15, 2016

EMERGENCY CONTROLLED SUBSTANCE SCHEDULING ACTION

Section 329-11(e) of the Hawaii Revised Statutes authorizes the Administrator of the Department of Public Safety, Narcotics Enforcement Division, to make an emergency scheduling by placing a substance into schedules I, II, III, IV or V on a temporary basis, if the Administrator determines that such action is necessary to avoid an imminent hazard or the possibility of an imminent hazard to the health and safety of the public. The Department shall post a public notice thirty days prior to the effective date of the emergency scheduling action, at the State Capitol, in the Office of the Lieutenant Governor, and on the Department's website for public inspection. If a substance is added or rescheduled under this subsection, the control shall be temporary and, if the next regular session of the State Legislature has not enacted the corresponding changes in this chapter, the temporary designation of the added or rescheduled substance shall be nullified.

Methyl -2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5F-ADB, 5-flouro-ADB and 5F-MDMB-PINACA), its optical, positional, and geometric isomers, salts and salts of isomers.

5F-ADB

5F-ADB (also known as 5F-MDMB-PINACA) is an indazole-based synthetic cannabinoid from the indazole 3-carboxamide family and is an analog of a fluorinated ADB-PINACA derivative in which the terminal amide has been replaced with a methyl ester.1 ADB-PINACA is a schedule 1 synthetic cannabinoid (spice drug). 5F-ADB has been found in laboratory submissions of evidence in Hawaii during 2016. Synthetic cannabinoids, also known as “Spice Drugs” are man-made chemicals that are applied (often sprayed) onto plant material and marketed as a “legal” high.2 Synthetic cannabinoids refer to a growing number of man-made, mind-altering chemicals that are either sprayed on dried, shredded plant material so they can be smoked or sold as liquids to be vaporized and inhaled in e-cigarettes and other devices.3

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Synthetic cannabinoids laced on plant material were first reported in the U.S. in December 2008, when a shipment of “Spice” was seized and analyzed by U.S. Customs and Border Protection (CBP) in Dayton, Ohio.  

The effects of synthetic cannabinoids include severe agitation and anxiety, nausea, vomiting, tachycardia (fast, racing heartbeat), elevated blood pressure, tremors and seizures, hallucinations, dilated pupils, and suicidal and other harmful thoughts and/or actions.  

5F-ADB was first identified in November 2014, from postmortem samples taken from an individual who had died after using a product containing this substance. 5F-ADB was found in ten people who died from unexplained drug overdoses in Japan between September and December 2014. It was added to the Japanese banned drug list in December 2014. 5F-ADB was also associated in the death of a Washington State man in March of 2016. It was also associated with over 30 driving under the influence cases in that State. In 2016, a commercial bioanalytical toxicology laboratory in the United States reported that 5F-ADB newer synthetic compounds such as 5F-ADB are on the rise. 5F-ADB is believed to be an extremely dangerous synthetic cannabinoid.  

In 2016, 5F-ADB was identified in several law enforcement submissions to forensic laboratories in Hawaii. In 2015, the state of Louisiana emergency scheduled 5F-ADB and placed it into Schedule I. The Narcotics Enforcement Division is not aware of any currently accepted medical uses for 5F-ADB in the United States.  

The Administrator of the Narcotics Enforcement Division has reviewed reference material and literature related to the emergency scheduling of this substance. The Administrator has determined that due to reports of numerous fatalities and its discovery in Hawaii that placing 5F-ADB into schedule I of the Hawaii Revised Statutes is necessary. Consequently, in accordance with provisions set forth in Section 329-11(e) of the Hawaii Revised Statutes, the Administrator of the Narcotics Enforcement Division is emergency scheduling Methyl -2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5F-ADB, 5-flouro-ADB and 5F-MDMB-PINACA), its optical, positional, and geometric isomers, salts and salts of isomers in order to address or avoid a current or imminent threat to the health and safety of the public.

1 Cayman Chemical. 2016. Product Insert 5F-ADB.  
4Hasegawa, K et al. 2014. Forensic Toxicol. 33, 112-121.  
7NMS Labs. 2016. New Synthetic Cannabinoids are making your old tests obsolete.  
8Louisiana-Declaration of Emergency 5F-ADB February 2015.
Section 329-14, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

"(g) Any of the following cannabinoids, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Tetrahydrocannabinols; meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers; and Delta 3,4 cis or trans-tetrahydrocannabinol, and its optical isomers (since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions, are covered);

(2) Naphthoylindoles; meaning any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholino)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent;

(3) Naphthylmethylindoles; meaning any compound containing a 1H-indol-3-yl-(1-naphthyl) methane structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholino)ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent;

(4) Naphthoylpyrroles; meaning any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholino)ethyl group whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(5) Naphthylmethylindenes; meaning any compound containing a naphthyldieneindene structure with substitution at the 3-position of the indene ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholino) ethyl group whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(6) Phenylacetilindoles; meaning any compound containing a 3-phenylacetilindole structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholino) ethyl group whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent;

(7) Cyclohexylphenols; meaning any compound containing a 2-(3-hydroxycyclohexyl) phenol structure with substitution at the 5-position of the phenolic ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholino) ethyl group whether or not substituted in the cyclohexyl ring to any extent;

(8) Benzyloindoles; meaning any compound containing a 3-(benzoyl) indole structure with substitution at the nitrogen atom of the indole ring by a alkyl, alkoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholino) ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent; and

(9) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl) pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone (another trade name is WIN 55,212-2);

(10) (6a,10a)-9-(hydroxymethyl)-6, 6-dimethy-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (other trade names are: HU-210/HU-211);

(11) Tetramethylcyclopropanoylindoles; meaning any compound containing a 3-tetramethylcyclopropanoylindole structure with substitution at the nitrogen atom of the indole
ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyran-3-ylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent.

12) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers. (Other names: APINACA, AKB48);

13) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: PB-22; QUPIC);

14) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5-fluoro-PB-22; 5F-PB-22);

15) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: AB-FUBINACA);

16) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: ADB-PINACA);

17) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: AB-CHMINACA);

18) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, and geometric isomers, salts and salts of isomers (Other names: AB-PINACA);

19) [1-(5-fluoropentyl)-1H-indazol-3-yl]naphthalen-1-yl)methanone, and geometric isomers, salts and salts of isomers (Other names: THJ-2201);

20) Methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate, and geometric isomers, salts and salts of isomers (Other names: FUB-AMB);

21) (S)-methyl 2-[(5-fluoropentyl)-1H-indazole-3-carboxamido]-3-methylbutanoate, and geometric isomers, salts and salts of isomers (Other names: 5-fluoro-AMB, 5-fluoro-AMP);

22) N-(3s, 5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, and geometric isomers, salts and salts of isomers (Other names: AKB48 N-(5-fluoropentyl) analog, 5F- AKB48, APINACA 5-fluoropentyl analog, 5F-APINACA);

23) N-adamantyl-1-fluoropentylindole-3-Carboxamide, and geometric isomers, salts and salts of isomers (Other names: STS-135, 5F-APICA; 5-fluoro-APICA);

24) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, and geometric isomers, salts and salts of isomers (Other names: NM2201); [and]

25) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, and geometric isomers, salts and salts of isomers (Other names: MAB-CHMINACA and ADB-CHMINACA)[; and

26) Methyl -2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5F-ADB, 5-fluoro-ADB and 5F-MDMB-PINACA), its optical, positional, and geometric isomers, salts and salts of isomers."

This emergency controlled substance scheduling is done under the authority of the Administrator of the State of Hawaii, Department of Public Safety, Narcotics Enforcement Division and shall take effect on December 16, 2016 as required under Section 329-11(e) Hawaii Revised Statutes.

David L. Thornton November 15, 2016
Administrator of the Narcotics Enforcement Division
State of Hawaii, Department of Public Safety