



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
Narcotics Enforcement Division  
3375 Koapaka Street, Ste. D100  
Honolulu, Hawaii 96819

**NOLAN P. ESPINDA**  
DIRECTOR

**CATHY Y. ROSS**  
DEPUTY DIRECTOR  
ADMINISTRATION

**Jodie F. Maesaka-Hirata**  
DEPUTY DIRECTOR  
CORRECTIONS

**Renee R. Sonobe Hong**  
DEPUTY DIRECTOR  
LAW ENFORCEMENT

No. Posted at the Office of  
the Lieutenant Governor on  
August 09,  
2017

**August 9, 2017**

## **NOTICE OF FEDERAL SCHEDULING ACTIONS**

Chapter 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 of Public Safety, then the Department of Public Safety shall recommend to the legislature that a corresponding change in Hawaii law be made. The Department of Public Safety shall similarly designate the substance as added, deleted, or rescheduled under this chapter, after the expiration of thirty days from publication in the Federal Register of a final order, and this change shall have the effect of law. If a substance is added, deleted, or rescheduled under this subsection, the control shall be temporary and, if the next regular session of the state legislature has not made the corresponding changes in this chapter, the temporary designation of the added, deleted, or rescheduled substance shall be nullified.

On March 1, 2017, The Department of Public Safety was given notice via publication in the Federal Register of a final order<sup>1</sup> that the following substituted cathinones were placed into Schedule I by the United States Drug Enforcement Administration (“DEA”):

1. 4-methyl-N-ethylcathinone (4-MEC);
2. 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
3. alpha-pyrrolidinopentiophenone ([alpha]-PVP);
4. 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone, bk-MBDB e);
5. 2-(methylamino)-1-phenylpentan-1-one (pentedrone);

<sup>1</sup> The final order was published in volume 82, number 39 of the Federal Register on March 1, 2017.

6. 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone, bk-MBDP);
7. 4-fluoro-N-methylcathinone (4-FMC, flephedrone);
8. 3-fluoro-N-methylcathinone (3-FMC);
9. 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphyrone);
10. alpha-pyrrolidinobutiophenone ([alpha]-PBP) and their optical, positional, and geometric isomers, salts and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible

This federal scheduling action imposes the regulatory controls and the administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, dispense, import, export, engage in research, conduct instructional activities with, or possess) or propose to handle the substituted cathinones listed in this notice. The DEA placed an effective date of March 1, 2017 on this scheduling action.

In accordance with chapter 329-11(d) of the HRS, the Department of Public Safety is temporarily adding the substituted cathinones listed in this notice into schedule I in chapter 329-14 (f) of the HRS. This temporary addition imposes the regulatory controls and the administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, dispense, import, export, engage in research, conduct instructional activities with, or possess) or propose to handle the substituted cathinones listed in this notice in the State of Hawaii.

Consequently, chapter 329-14 of HRS is amended by amending subsection (f) to read as follows:

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

- (1) Aminorex;
- (2) Cathinone;
- (3) Fenethylamine;
- (4) Methcathinone;
- (5) N-ethylamphetamine;
- (6) 4-methylaminorex;
- (7) N,N-dimethylamphetamine; and
- (8) Substituted cathinones, any compound, except bupropion or compounds listed under a different

schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

- (A) By substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
- (B) By substitution at the 3-position with an acyclic alkyl substituent; or
- (C) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.

Some other trade names: Mephedrone (2-methylamino-1-p-tolylpropan-1-one), also known as 4-methylmethcathinone (4-MMC), methylephedrone or MMCAT; Methylenedioxypropylone (MDPV, MDPK); methylone or 3,4-methylenedioxypropylone; and 1-(benzo[d][1,3]dioxol-5-yl)-2-(ethylamino)propan-1-one, monohydrochloride, also known as Ethylone, bk-MDEA hydrochloride, MDEC; 3,4-Methylenedioxy-N-ethylcathinone; bk-Methylenedioxyethylamphetamine, 4-methyl-N-ethylcathinone (4-MEC); 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP); alpha-pyrrolidinopentiophenone ([alpha]-PVP); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone, bk-MBDB e); 2-(methylamino)-1-phenylpentan-1-one (pentedrone); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone, bk-MBDP); 4-fluoro-N-methylcathinone (4-FMC, flephedrone); 3-fluoro-N-methylcathinone (3-FMC); 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphyrone); alpha-pyrrolidinobutiophenone ([alpha]-PBP) and their optical, positional, and geometric isomers, salts and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible

The changes in this notice shall take effect on September 9, 2017, as required under chapter 329-11(d) HRS.