



STATUTORY INSTRUMENTS.

S.I. No. 553 of 2011



MISUSE OF DRUGS (DESIGNATION) (AMENDMENT) ORDER 2011

(Prn. A11/1970)

MISUSE OF DRUGS (DESIGNATION) (AMENDMENT) ORDER 2011

I, RÓISÍN SHORTALL, Minister of State at the Department of Health, in exercise of the powers conferred on me by section 13 of the Misuse of Drugs Act 1977 (No. 12 of 1977) and the Health (Delegation of Ministerial Functions) (No. 2) Order 2011 (S.I. No. 493 of 2011), hereby order as follows:-

1. This Order may be cited as the Misuse of Drugs (Designation) (Amendment) Order 2011.

2. In this Order, “Principal Order” means the Misuse of Drugs (Designation) Order 1998 (S.I. No. 69 of 1998), as amended by the Misuse of Drugs (Designation) Order 2010 (S.I. No. 201 of 2010).

3. Schedule 1 to the Principal Order is amended:

(a) in paragraph 1(a)—

(i) by inserting “1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine (otherwise known as BromodragonFLY)” after “1-Benzyl-piperazine.”,

(ii) by inserting the following after “1-(4-Methoxyphenyl)-2-(methylamino)propan-1-one.”:—

“Methyl (2S,4aR,6aR,7R,10aS,10bR)-9-acetyloxy-2-(furan-3-yl)-6a,10b-dimethyl-4,10-dioxo-2,4a,5,6,7,8,9,10a-octahydro-1H-benzo[f]isochromene-7-carboxylate (otherwise known as Salvinorin A) and any product whether natural or otherwise including any plant or plant material of any kind or description, which contains any proportion of the said substance.”

(iii) by inserting the following after “2-Methylamino-1-(3,4-methylenedioxyphenyl)propan-1-one.”:—

“Methyl 2-[(2S,3S,12bS)-3-ethyl-8-methoxy-1,2,3,4,6,7,12,12b-octahydroindolo[2,3a]quinolizin-2-yl]-3-methoxyprop-2-enoate (otherwise known as Mitragynine) and any product whether natural or otherwise including any plant or plant material of any kind or description, which contains any proportion of the said substance.

Methyl 2-[(2S,3S,7aS,12bS)-3-ethyl-7a-hydroxy-8-methoxy-2,3,4,6,7,12b-hexahydro-1H-indolo[2,3a]quinolizin-2-yl]-3-methoxyprop-2-enoate (otherwise known as 7-Hydroxymitragynine)

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and any product whether natural or otherwise including any plant or plant material of any kind or description, which contains any proportion of the said substance.” and

(b) by inserting after paragraph 1(k) the following subparagraphs—

“(l) Any substance (not being bupropion, diethylpropion or pyrovalerone) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways:—

- (i) by substitution in the phenyl ring to any extent with alkyl, alkenyl, alkynyl, alkoxy, alkylthio, alkylendioxy, haloalkyl or halo substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
- (ii) by substitution at the 2 or 3-position of the propanone side-chain with an alkyl substituent;
- (iii) by substitution at the nitrogen atom with one or more alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

(m) Any substance structurally derived from 2-amino-1-propanone by substitution at the 1-position with any monocyclic, or fused-polycyclic ring system (not being a phenyl ring or alkylendioxyphenyl ring system), whether or not the substance is further modified in any of the following ways:—

- (i) by substitution in the ring system to any extent with alkyl, alkenyl, alkynyl, alkoxy, alkylthio, haloalkyl or halo substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
- (ii) by substitution at the 3-position with an alkyl substituent;
- (iii) by substitution at the 2-amino nitrogen atom with one or more alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(n) 1, 2, 3, 4-Tetrahydronaphthalen-2-amine, 1,2-dihydronaphthalen-2-amine or 2,3-dihydro-1*H*-inden-2-amine or any substance structurally derived from 1, 2, 3, 4-tetrahydronaphthalen-2-amine, 1,2-dihydronaphthalen-2-amine or 2,3-dihydro-1*H*-inden-2-amine by modification in any of the following ways:—

- (i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkenyl, alkynyl, alkylthio, alkylendioxy,

haloalkyl, hydroxy or halo substituents, whether or not further substituted by one or more other univalent substituents;

- (ii) by *mono-* or *di-*substitution at the nitrogen atom with alkyl, alkenyl, alkynyl or haloalkyl groups or by inclusion of the nitrogen atom in a cyclic structure.
- (o) Any substance structurally derived from 3-(1-benzoyl)indole or 3-(1-naphthoyl)indole by modification in any of the following ways:—
- (i) by substitution at the nitrogen atom of the indole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl; or
 - (ii) by replacement of one or more hydrogen atoms of any of the substituents referred to in clause (i), with a halo substituent,

whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl or naphthyl ring to any extent.”.

GIVEN under my Hand,
1 November 2011.

RÓISIN SHORTALL,
Minister of State at the Department of Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

The purpose of this Order is to amend the Misuse of Drugs (Designation) Order 1998 by inserting into Schedule 1 to that Order the following substances and preparations having no medical use: substances structurally derived from cathinone (not including bupropion, diethylpropion and pyrovalerone), naphyrone and related substances, 2-aminotetralin, 2-aminoindane, 2-aminodilin and related substances, additional synthetic cannabinoids, BromodragonFLY. In addition, salvinorin A, mitragynine and 7-hydroxymitragynine and products, plants and plant materials containing those substances and their preparations are also inserted into Schedule 1.

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