APPENDIX J
THE LAW CONCERNING THE TRADE WITH NARCOTICS (*BETÄUBUNGSMITTELGESETZ*)

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CHAPTER I
DEFINITION OF TERMS

SECTION 1. NARCOTICS

(1) Narcotics within the meaning of this law are the substances and preparations listed in annexes I to III.

(2) Upon hearing of experts, the Federal Government (*Bundesregierung*), with the approval of the Federal Council (*Bundesrat*), is authorized to amend or supplement annexes I to III by statutory order, where this is necessary—

1. According to scientific research because of the effect of a substance, especially in view of an addiction which may be created;

2. Because of the possibility of producing narcotics from a substance or by using a substance, or

3. For the safety or control of the trade with narcotics or other substances or preparations due to the extent of their abuse and because of the direct or indirect jeopardy to health.

In the statutory order pursuant to sentence 1 specific substances or preparations may, completely or partly, be exempted from the application of this law, or of a statutory order issued on the basis of this law, as long as safety and control of the trade with narcotics remain guaranteed.

(3) In urgent cases, the Federal Ministry of Health (*Bundesministerium für Gesundheit*) is authorized to add by statutory order, without the approval of the Federal Council, to annexes I through III substances and preparations which are no medicines, for the safety or control of the trade with narcotics, if such measure is necessary due to the extent of abuse and the direct and indirect jeopardy to health. An ordinance issued on the basis of this provision shall become inoperative after a period of 1 year has expired.

(4) The Federal Ministry of Health (Federal ministry) is authorized by statutory order, without the approval of the Federal Council, to amend annexes I through III or the statutory orders issued on the basis of this law as far as this is required due to amendments of the annexes to the Uniform Agreement of 1961 Concerning Drugs (*Einheits-Übereinkommen von 1961 über Suchtstoffe*) in the version of the publication of 4 February 1977 (Federal Law Gazette II, p. 111) and the Agreement of 1971 Concerning Psychotropic Substances (*Übereinkommen von 1971 über psychotrope Stoffe*) (Federal Law Gazette 1976 II, p. 1477) (International Agreement on Drugs) in their respective version which is binding on the Federal Republic of Germany.

SECTION 2. OTHER DEFINITIONS

(1) Within the meaning of this law—

1. Substance is defined as—

a) Chemical elements and chemical compounds as well as their natural mixtures and solutions.

b) Plants, algae, funghi, and lichens as well as their parts and components in a processed or unprocessed condition.

c) Animal bodies, also of live animals, as well as body parts, body components, and metabolic products of human beings and animals in a processed or unprocessed condition.

d) Micro-organisms including viruses as well as their components or metabolic products.

2. A preparation (without regard to its state of aggregation) **is defined as** a mixture of substances or the solution of one or several substances except ~~the~~ natural mixtures and solutions.

3. An exempt preparation is defined as a preparation designated in annexes I to III that, completely or partially, is exempted from the provisions of the Narcotics Law.

4. Producing refers to extracting, manufacturing, preparing, treating or processing, purifying or converting.

(2) Equal to the import or export of a narcotic is any other transfer into or from the territorial scope of this law.

CHAPTER II
LICENSE AND LICENSING PROCEDURE

SECTION 3. LICENSE FOR THE TRADE WITH NARCOTICS

(1) A license from the Federal Institute for Medicines and Pharmaceutical Products (*Bundesinstitut für Arzneimittel und Medizinprodukte*) requires who wants to—

1. Cultivate, manufacture narcotics, to engage in the trade with them, or to import, export, deliver, sell, otherwise bring them onto the market, or acquire them, or

2. Manufacture exempt preparations (sec 2, para (1), no. 3).

(2) The Federal Institute for Medicines and Pharmaceutical Products may issue a license for the narcotics designated in annex I only by way of exception for scientific or other purposes which are in the interest of the public.

SECTION 4. EXCEPTIONS TO THE OBLIGATION TO OBTAIN A LICENSE

(1) The following persons do not require a license pursuant to section 3: Persons who—

1. Within the scope of the operation of a public pharmacy or a dispensary (pharmacy)—

a) Manufacture narcotics designated in annex II or III, or exempt preparations of those annexes;

b) Acquire narcotics designated in annex II or III;

c) Dispense narcotics designated in annex III on the basis of a prescription of a physician, dentist, or veterinarian; or

d) Return narcotics designated in annex II or III to holders of a license for the acquisition of such narcotics or deliver them to the successor in the pharmacy;

e) Receive narcotics designated in annex I, II, or III for the purpose of examination, to pass them on to an agency authorized to examine narcotics, or in order to destroy them.

2. Within the scope of operation of a veterinary dispensary—

a) Mix narcotics designated in annex III in the form of ready-for-use medication for an animal treated by them or mix these narcotics with other ready-for-use medicines or components without medical effect in order to apply them or to immobilise a zoo animal, wild animal, and animal in a preserve treated by them,

b) Acquire narcotics designated in annex III in the form of ready-for-use medication;

c) Dispense narcotics designated in annex III in the form of ready-for-use medication for an animal treated by them or dispense mixtures pursuant to letter a) to immobilise a zoo animal, wild animal, and animal in a preserve treated by them; or

d) Return narcotics designated in annex III in the form of ready-for-use medication to holders of a license to acquire these narcotics or dispense them to the successor in the operation of a veterinary dispensary.

3. Acquire narcotics designated in annex III—

a) On the basis of prescriptions of physicians, dentists, or veterinarians, or

b) To be administered to an animal by a person who treats this animal and operates a veterinary dispensary.

4. Export or import narcotics designated in annex III—

a) As a physician, dentist, or veterinarian within the scope of border crossing services, or

b) Based on prescriptions of physicians, dentists, or veterinarians, and as travel necessaries.

5. On a commercial basis—

a) Take part in the transportation of narcotics between persons authorized to participate in the trade with narcotics or assume the storage and safekeeping of narcotics in connection with such transportation or, for a participant authorized to trade with narcotics, or

b) Arrange or procure the shipment of narcotics between persons authorized to trade with narcotics by others, or

6. Acquire narcotics designated in annex I, II, or III as a test person or patient within the scope of a clinical trial or in hardship cases pursuant to section 21, paragraph (2), sentence 1, number 6, of the Law on the Production and Distribution of Medicines (*Arnzeimittelgesetz*) in conjunction with Article 83 of the Regulation (EC) No. 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorization and supervision of medical products for human and veterinary use and establishing a European Medicines Agency (Official Journal L 136 of 30 April 2004, p. 1).

(2) Federal and *Land* authorities as well as the authorities entrusted by them with the examination of narcotics do not require a license pursuant to section 3 with regard to the scope of their official activity.

(3) Whoever, according to paragraph (1), numbers 1 and 2, does not require a license and wants to participate in the trade with narcotics shall first notify the Federal Institute for Medicine and Pharmaceutical Products. The notification must include the following:

1. Name and addresses of the notifying person as well as of the pharmacy or the veterinary dispensary;

2. Issuance date and the authority issuing the license for the pharmacy, or the license to practice as a veterinarian; and

3. Date of commencement of participating in the trade with narcotics.

The Federal Institute for Medicine and Pharmaceutical Products shall inform the competent highest *Land* authority without delay concerning the contents of the notifications related to veterinary dispensaries.

SECTION 5. DENIAL OF LICENSE

(1) The issuance of a license pursuant to section 3 shall be denied if—

1. It is not guaranteed that a person has been appointed in the processing plant, and as far as there are other processing plants in distant communities, that one person has been appointed in each of these plants, being responsible for compliance with the provisions governing narcotics and orders of the control authorities (responsible person); the applicant himself may take the place of a responsible person;

2. The designated responsible person does not have the required expertise or is unable to permanently comply with the obligations incumbent upon him;

3. Facts exist raising doubts as to the reliability of the responsible person, the applicant, his legal representative, or in case of juristic persons or associations without legal capacity, as to the persons authorized to represent or to manage the business according to the law, statute, or partnership agreement;

4. Suitable rooms, facilities, and safety mechanisms for the participation in the trade with narcotics or the manufacture of exempt preparations are not available;

5. The safety or control of the trade with narcotics or the manufacture of exempt preparations for reasons other than those mentioned in numbers 1 through 4 is not guaranteed;

6. The nature and purpose of the requested trade do not comply with the purpose of this law, namely to secure the required medical supply of the population, but at the same time to preclude the abuse of narcotics or the improper manufacture of exempt preparations, as well as the development or maintenance of an addiction to narcotics to the extent possible; or

7. There is an objection to the submitted application documents and a defect is not remedied within the set period of time (sec 8, para (2)).

(2) The license may be denied if it opposes the implementation of the international drug agreements or decisions, orders or recommendations of intrastate institutions of drug control, or if this is imperative because of legal acts of the organs of the European Communities.

SECTION 6. TECHNICAL KNOWLEDGE

(1) The proof of the required technical knowledge (sec 5, para (1), no. 2) is furnished—

1. With respect to the manufacture of narcotics or exempt preparations that are medicines, by proving the technical knowledge as stipulated in section 15, paragraph (1), of the Law on the Production and Distribution of Medicines;

2. With respect to the manufacture of narcotics that are not medicines, by the certificate of an examination passed upon termination of a scientific university education in biology, chemistry, pharmacy, human medicine, or veterinary medicine, and by verifying practical work involving the manufacture or testing of narcotics for at least 1 year;

3. If used for scientific purposes by the certificate of an examination passed upon termination of a scientific university education in biology, chemistry, pharmacy, human medicine, or veterinary medicine; and

4. In all other cases by the certificate of a completed vocational training as a merchant in wholesale and foreign trade in the fields of chemistry or pharmacy, and by verification of practical work in the trade with narcotics for at least 1 year.

(2) The Federal Institute for Medicine and Pharmaceutical Products may, in a specific case, deviate from the requirements for technical knowledge designated in paragraph (1) if the safety and control of the trade with narcotics or the manufacture of exempt preparations are guaranteed.

SECTION 7. APPLICATION

The application for the issuance of a license pursuant to section 3 shall be submitted in duplicate to the Federal Institute for Medicine and Pharmaceutical Products, which will forward one copy to the competent highest *Land* authority. Attached to the application must be the following information and documents:

1) The names, first names, or the firm and the addresses of the applicant and the responsible persons;

2) With regard to the responsible persons, the proof of the required technical knowledge and statements as to whether and on the basis of what circumstances they will be able to permanently meet the obligations incumbent upon them;

3) A description of the location of the processing plants according to place (if possible, designation of plot), street, house number, building and annex, as well as the type of construction of the building;

4) A description of the existing safety measures against removal of narcotics by unauthorized persons;

5) The nature of the trade with narcotics (sec 3, para (1));

6) The type and the presumable annual amount of narcotics to be manufactured or being required;

7) With respect to the manufacturing (sec 2, para (1), no. 4) of narcotics or exempt preparations, a short description of the production process indicating kind and quantity of the initial substance or initial preparations, intermediate or final products, even if initial substances or initial preparations, intermediate, or final products are not narcotics; in case of preparations not divided into portions the percentages by weight shall be stated in addition, in case of preparations divided into portions, the weight of the narcotics contained in one portion each; and

8) If used for scientific or other purposes being of public interest, an explanation of the pursued purpose by referring to the pertinent scientific literature.

SECTION 8. DECISION

(1) The Federal Institute for Medicine and Pharmaceutical Products shall, within 3 months upon receipt of the application, decide on the issuance of the license. It shall notify the competent highest *Land* authority about the decision without delay.

(2) If the Federal Institute for Medicine and Pharmaceutical Products gives the applicant the opportunity to remedy defects in the application, the period provided for in paragraph (1) shall be delayed until the defects have been remedied or until the period set to remedy the defects has expired. The delay begins on the day the demand to remedy the defects is served on the applicant.

(3) The holder of the license shall, without delay, inform the Federal Institute for Medicine and Pharmaceutical Products of any change of the information designated in section 7. If the kind of narcotics or the trade with narcotics has been expanded or if there are changes regarding the person named as holder of the license or the location of the processing plants except inside a building, an application for a new license shall be submitted. In other cases the license will be changed. The competent highest *Land* authority will be informed about the change of the license without delay.

SECTION 9. RESTRICTIONS, TIME LIMIT, TERMS AND CONDITIONS

(1) The license shall be limited to the scope that is necessary for the sake of safety and control of the trade with narcotics or the manufacture of exempt preparations. It shall regulate in particular the—

1. Kind of narcotics and the type of the trade with narcotics;

2. Estimated annual amount and the stock of narcotics;

3. Location of the processing plants; and

4. Production process and the initial, intermediate, and final products originating therefrom, even if they are not narcotics.

(2) The license may—

1. Have a time limit, be issued with certain terms, or may be subject to conditions, or

2. Be changed after its issuance regarding paragraph (1), sentence 2, or be provided with other restrictions or orders

if this is necessary for the safety or control of the trade with narcotics or for the manufacture of exempt preparations or if the license opposes the implementation of international drug agreements or decisions, orders, or recommendations of intrastate agencies of drug control, or if this is imperative because of legal acts of the organs of the European Communities.

SECTION 10. WITHDRAWAL AND REVOCATION

(1) The license may also be revoked if it has not been used within a period of 2 calendar years. The period may be extended if justified interest is proven.

(2) The competent highest *Land* authority shall be notified about the withdrawal or revocation of the license without delay.

SECTION 10A. PERMIT TO OPERATE DRUG CONSUMPTION ROOMS

(1) A person who intends to operate a facility with rooms in which drug addicts are offered or granted an opportunity to consume narcotics which they bring along and which are not prescribed by a physician (drug consumption room) requires a license. The license may only be issued if the *Land* government has regulated the prerequisites for a license in a statutory order in accordance with paragraph (2).

(2) The *Land* governments are authorized to regulate the prerequisites for the issuance of a license pursuant to paragraph (1) by statutory order. The regulations must in particular stipulate the following minimum standards on safety and control for the consumption of narcotics in drug consumption rooms:

1. Appropriate, functional equipment of the rooms which are to serve as drug consumption rooms;

2. Ensuring an immediately available medical emergency assistance;

3. Medical consultation and assistance in order to reduce risks during the consumption of the drugs carried along by the addicts;

4. Arrangement of offers for advanced consultation and therapies oriented towards giving up the narcotics.

5. Measures to prevent criminal acts according to this law in drug consumption rooms, with the exception of possession of narcotics pursuant to section 29, paragraph (1), sentence 1, number 3, for personal consumption in small quantities;

6. Necessary methods of cooperation with the local authorities responsible for public safety and order, in order to prevent criminal acts to the extent possible in the immediate surroundings of the drug consumption rooms;

7. Precise determination of the group of entitled users of drug consumption rooms, in particular with regard to age, the type of narcotics brought along as well as the tolerated consumption patterns; obvious first and occasional consumers shall be excluded from the use;

8. A documentation and evaluation of the work in the drug consumption rooms;

9. Permanent presence of a sufficient number of personally reliable personnel who are technically trained for fulfillment of the requirements stated under numbers 1 through 7;

10. Naming of a person with special knowledge who is responsible for compliance with the requirements stated under numbers 1 through 9, with the conditions of the license issuing authority as well as the directives of the supervisory authority (responsible person) and who is able to permanently fulfill the duties incumbent upon him.

(3) Section 7, sentences 1 and 2, numbers 1 through 4 and 8; section 8; section 9, paragraph (2); and section 10 apply accordingly to the licensing procedure with the responsible highest *Land* authority taking the place of the Federal Institute for Medicine and Pharmaceutical Products, and the Federal Institute for Medicine and Pharmaceutical Products taking the place of the highest *Land* authority.

(4) A license pursuant to paragraph (1) does not entitle personnel working in a drug consumption room to make a substance analysis of the brought along narcotics or to render active assistance in the direct consumption of the narcotics brought along.

CHAPTER III
OBLIGATIONS CONCERNING THE TRADE WITH NARCOTICS

SECTION 11. IMPORT, EXPORT, AND TRANSIT

(1) Whoever wants to import or export narcotics in an individual case requires an approval of the Federal Institute for Medicine and Pharmaceutical Products in addition to the license required pursuant to section 3. Narcotics may be transported through the territorial scope of this law only under customs control without any stops other than those necessary for the transportation or turnover and without the narcotic at any time during the transfer being actually available to the person carrying through the transportation or to a third person. Exempt preparations may not be exported into countries where the import is prohibited.

(2) The Federal government is authorized to regulate by statutory order, without the consent of the Federal Council, the procedure concerning the issuance of the license, and to issue regulations governing import, export, and transit, as far as this is required for the safety or control of the trade with narcotics, for the implementation of the international drug agreements, or legal acts of the organs of the European Communities. Especially:

1. The import, export, or transit may be limited to certain narcotics and quantities and their import into and export from certain countries as well as the transit through certain countries may be prohibited;

2. Exceptions from paragraph (1) concerning traveling and shipment of samples within the framework of international cooperation may be permitted;

3. Regulations may be issued concerning the carrying of narcotics by physicians, dentists, and veterinarians within the scope of border crossing service transactions; and

4. Form, contents, preparation, issuance, and safekeeping of the official forms to be used may be determined.

SECTION 12. DELIVERY AND ACQUISITION

(1) Narcotics may be delivered only to—

1. Persons or associations who are in possession of a license for acquisition pursuant to section 3 or who operate a pharmacy or a veterinary dispensary;

2. The authorities or facilities designated under section 4, paragraph (2), or section 26.

(2) Except in the case of section 4, paragraph (1), number 1, letter e, the person delivering narcotics shall, without delay, report to the Federal Institute for Medicine and Pharmaceutical Products each individual delivery by indicating the buyer, and kind, and quantity of the narcotic. The buyer shall confirm receipt of the narcotics to the person delivering them.

(3) Paragraphs (1) and (2) are not applicable with regard to the—

1. Delivery of narcotics designated in annex III—

(a) On the basis of a prescription of a physician, dentist, or veterinarian within the scope of operation of a pharmacy;

(b) Within the scope of operation of a veterinary dispensary for an animal treated by the person running such dispensary;

2. Export of narcotics; and

3. Delivery and acquisition of narcotics between the authorities or institutions designated in section 4, paragraph (2), or section 26.

(4) The Federal Ministry of Health is authorized to regulate the procedure regarding notification and acknowledgement of receipt by statutory order without the consent of the Federal Council. The Federal Ministry of Health can specifically regulate form, contents, issuance, and safekeeping as well as electronic transmittal.

SECTION 13. PRESCRIPTION AND DELIVERY ON PRESCRIPTION

(1) The narcotics designated in annex III may only be prescribed by physicians, dentists, and veterinarians, and may only be prescribed, administered, or made available to another for immediate use within the scope of medical, dental, or veterinary treatment, including a medical treatment of drug addiction, if there is a reason for their use in humans and animals. A reason for such use does not exist in particular if the intended purpose can be reached in any other way. The narcotics designated in annexes I and II may not be prescribed, administered, or made available to another person for immediate use.

(2) The narcotics prescribed pursuant to paragraph (1) may be delivered only within the scope of operation of a pharmacy and against presentation of prescriptions. Diamorphine may be delivered only by a pharmaceutical company and only to recognized institutions pursuant to paragraph (3), sentence 2, number 2a, against presentation of a prescription. Only narcotics designated in annex III may be delivered within the scope of operation of a veterinary dispensary and only for application to an animal treated by the person operating the veterinary dispensary.

(3) The Federal Government is authorized, with the consent of the Federal Council, to regulate by statutory order the prescription of narcotics designated in annex III, their delivery on the basis of a prescription and the recording of their whereabouts, and the stocks kept by physicians, dentists, veterinarians, in pharmacies, veterinary dispensaries, hospitals, and veterinary clinics, as far as this is required for the safety or control of the trade with narcotics. The statutory order may stipulate in particular that—

1. The prescription may be limited to certain preparations, purposes, or quantities;

2. The prescription of replacement substances for drug addicts may be subject to compliance with minimum requirements regarding the qualification of the prescribing physicians and determination of the minimum requirements be assigned to the Medical Boards (*Ärztekammern*)

2a. The prescribing of diamorphine may only be permitted in institutions that have been granted the authorization by the responsible *Land* authority;

2b. The minimum requirements concerning the equipment of the installations in which treatment with the replacement substance diamorphine is applied may be determined;

3. It may be determined that reports—

a) Of the prescribing physicians to the Federal Institute for Medicine and Pharmaceutical Products concerning the prescription of replacement substances for a patient must be anonymised,

b) Are provided by the Medical Board to the Federal Institute for Medicine and Pharmaceutical Products on the physicians who fulfill the minimum requirements pursuant to number 2, and

That notifications—

c) Of the Federal Institute for Medicine and Pharmaceutical Products to the responsible supervisory authorities and to the prescribing physicians regarding those patients who already received a replacement substance from another

physician must be anonymised,

d) Are provided by the Federal Institute for Medicine and Pharmaceutical Products to the responsible supervisory authorities of the *Länder* on physicians fulfilling the minimum requirements pursuant to number 2,

e) Are provided by the Federal Institute for Medicine and Pharmaceutical Products to the highest health authorities of the *Länder* on the number of patients who were prescribed a replacement substance, the number of physicians who are authorized to prescribe replacement substances, the number of physicians who did prescribe a replacement substance, the various replacement substances and the type of prescription

as well as the method of anonymisation, form and contents of the reports and notifications,

4. Form, contents, preparation, issuing, safekeeping, and return of the official form to be used for the prescription as well as records on the whereabouts and the stock may be determined, and

5. Exceptions to section 4, paragraph (1), number 1, letter c, for the equipment of merchant vessels may be issued.

Section 7, sentence 2, numbers 1 through 4; section 8, paragraph (1), sentence 1, paragraph (2), and paragraph (3), sentences 1 through 3; section 9, paragraph (2); and section 10 apply accordingly to the procedure concerning the issuance of an authorization pursuant to sentence 2, number 2a. For this purpose, the responsible *Land* authority takes the place of the Federal Institute for Medicine and Pharmaceutical Products, and the Federal Institute for Medicine and Pharmaceutical Products shall take the place of the superior authority of the *Land* respectively. The recipients pursuant to sentence 2, number 3 may not use the transmitted data for any other purpose than the one stated in sentence 1. When fulfilling the duties assigned by statutory order pursuant to sentence 1, the Federal Institute for Medicine and Pharmaceutical Products acts as a Federal organ made available to the respective responsible *Land.* Details, including compensation of costs, will be regulated by agreement.

SECTION 14. IDENTIFICATION AND ADVERTISING

(1) In the trade with narcotics, the narcotics shall be marked by using the short designations listed in the annexes. The identification must be made in clearly legible writing, in the German language, and must be durable.

(2) Additionally, the identification must include—

1. The percentage by weight, in case of crude narcotics not purified and narcotics not divided into portions, and in case of narcotics divided into portions, the weight of the pure substance contained in the narcotic;

2. On narcotic receptacles and, as far as used, on the outside wrapper of substances and preparations not divided into portions, the weight contained therein; in case of preparations divided into portions, the number of pieces contained therein; this does not apply to supply containers kept at scientific laboratories or to small cases and ampoules designed for delivery.

(3) Paragraphs (1) and (2) do not apply to receptacles containing supplies in pharmacies and veterinary dispensaries.

(4) Paragraphs (1) and (2) apply accordingly also to the designation of narcotics in catalogues, price lists, advertisements, or similar printed material designed for special groups of persons participating in the trade with narcotics.

(5) Advertising for narcotics designated in annex I is prohibited. Advertising for narcotics designated in annexes II and III is permitted only inside groups of specialists in industry and trade as well as of persons and associations running a pharmacy or veterinary dispensary; advertising for narcotics designated in annex III is also authorized to physicians, dentists and veterinarians.

SECTION 15. SECURITY MEASURES

Whoever participates in the trade with narcotics shall safekeep the narcotics in his possession separately and secure them against removal by unauthorized persons. The Federal Institute for Medicine and Pharmaceutical Products may order safety measures as necessary according to kind and extent of the trade with narcotics, the degree of risk, or the quantity of narcotics.

SECTION 16. DESTRUCTION

(1) The owner of narcotics that may no longer be put into trade shall destroy them at his expense in the presence of two witnesses in a manner excluding even partial recovery of the narcotics as well as ascertaining the protection of human beings and the environment against damaging influences. A record concerning the destruction shall be prepared, which is to be retained for 3 years.

(2) The Federal Institute for Medicine and Pharmaceutical Products, in the cases of section 19, paragraph (1), sentence 3, the competent *Land* authority, may request the owner to send the narcotics to these authorities for destruction at his expense. If there is no owner or if he cannot be located or if the owner does not comply with his obligation to destroy the narcotics or with the request to turn the narcotics in pursuant to sentence 1 within a previously fixed period of 3 months, the authorities designated in sentence 1 will take the measures necessary for the destruction. The owner or possessor of the narcotics is obligated to deliver the narcotics to the persons entrusted with their destruction or to tolerate their being taken away from him.

(3) Paragraph (1) and paragraph (2), sentences 1 and 3, apply accordingly if the owner wants to remove narcotics that are no longer needed.

SECTION 17. RECORDS

(1) The owner of a license pursuant to section 3 is obligated to continuously prepare the following records concerning each increase and decrease, separately for each processing plant and each narcotic:

1. The date;

2. The name or the firm and the address of the supplier or the recipient or any other origin or whereabouts;

3. The incoming or delivered amount and the stock resulting therefrom;

4. In case of cultivation in addition, the cultivated area according to location and size as well as the date of sowing;

5. In case of manufacture in addition, the designation of the narcotics used or manufactured, the substances not subject to the law, or the exempt preparations according to kind and quantity; and

6. In case of delivery of exempt preparations by their manufacturer in addition, the name or the firm and the address of the recipient.

In lieu of the records designated in number 6, the copies of the delivery invoices in which the exempt preparations have been marked may be filed chronologically according to the date of the invoice.

(2) The quantities to be indicated in the records or invoices are the—

1. Weight in case of substances and preparations not divided into portions, and

2. Number of portions in case of preparations divided into portions.

(3) The records or copies of invoices shall be safekept separately for 3 years, starting from the last entry or from the date of the last invoice.

SECTION 18. REPORTS

(1) The owner of a license pursuant to section 3 is obligated to report to the Federal Institute for Medicine and Pharmaceutical Products, separate for each processing plant and for each narcotic, the respective quantity which has—

1. Been gained as a result of the cultivation, by indicating the cultivated area according to location and size;

2. Been manufactured, broken down according to the initial substances;

3. Been used for the manufacture of other narcotics, broken down according to these narcotics;

4. Been used for the manufacture of substances not subject to this law, broken down according to these substances;

5. Been used to manufacture exempt preparations, broken down according to these preparations;

6. Been imported, broken down according to exporting countries;

7. Been exported, broken down according to importing countries;

8. Been acquired;

9. Been delivered;

10. Been destroyed;

11. Been used for purposes other than those under numbers 1 through 10, broken down according to the respective purposes for use; and

12. Existed as stock at the end of the respective calendar half year.

(2) The quantities to be indicated in the reports are the—

1. Weight in case of substances and preparations not divided into portions; and

2. Number of portions in case of preparations divided into portions.

(3) The reports pursuant to paragraph (1), numbers 2 through 12, shall be sent to the Federal Institute for Medicine and Pharmaceutical Products by 31 January and 31 July for the past calendar half year, and the report according to paragraph (1), number 1, by 31 January for the past calendar year.

(4) The official forms issued by the Federal Institute for Medicine and Pharmaceutical Products shall be used for the reports designated in paragraph (1).

SECTION 18A. (RESCINDED)

CHAPTER IV
SUPERVISION

SECTION 19. EXECUTIVE AUTHORITY

(1) The trade with narcotics as well as the manufacture of exempt preparations is subject to the supervision by the Federal Institute for Medicine and Pharmaceutical Products. This agency is also competent for the printing, issuance, and evaluation of the official forms which must be used for the prescription of narcotics. Trade with narcotics by physicians, dentists, and veterinarians, pharmaceutical companies in case they deliver diamorphine, and in pharmacies, veterinary dispensaries, hospitals, and veterinary clinics is subject to the supervision of the competent *Land* authorities. They shall also supervise compliance with the minimum standards listed in section 10a, paragraph (2); the persons who have been assigned the supervisory duties have the powers stipulated in sections 22 and 24.

(2) The Federal Institute for Medicine and Pharmaceutical Products is at the same time the special administrative authority within the meaning of international drug agreements.

(3) Cultivation of hemp within the meaning of letter d of the exceptional regulation re cannabis (marihuana) in annex I is subject to supervision by the Federal Agency for Agriculture and Foodstuffs (*Bundesanstalt für Landwirtschaft und Ernährung*). Article 40, paragraphs 1 and 4, subparagraph 1, of the Commission Regulation (EC) No 1122/2009 of 30 November 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 73/2009 as regards cross-compliance, modulation, and the integrated administration and control system under the direct support schemes for farmers provided for in that Regulation, as well as for the implementation of Council Regulation (EC) No 1234/2007 as regards cross-compliance under the support scheme provided for the wines sector (Official Journal L 316, 2.12.2009, p. 65)—each as amended at the time—as well as section 25, paragraphs 1 and 3, and section 29 of the Regulation on the Implementation of Support

Schemes and the Integrated Administration and Control System (Verordnung über die Durchführung von Stützungsregelungen und des Integrierten Verwaltungs- und Kontrollsystems) apply accordingly. The Federal Agency for Agriculture and Foodstuffs may use the data transmitted by the competent *Länder* agencies pursuant to section 31 of the Regulation on the Implementation of Support Schemes and the Integrated Administration and Control System as well as the results of THC tests made within the scope of the rules on standard business premiums for monitoring purposes pursuant to this law.

SECTION 20. SPECIAL AUTHORIZATION IN A STATE OF TENSION OR IN A STATE OF DEFENSE

(1) Without the consent of the Federal Council, the Federal Government is authorized to amend this law by statutory order or the statutory orders issued on the basis of this law for defense purposes in order to secure the medical supply of narcotics for the population if the safety and control of the trade with narcotics or the manufacture of exempt preparations continue to be ensured. Especially:

1. Tasks of the Federal Institute for Medicine and Pharmaceutical Products according to this law and statutory orders issued on the basis of this law may be delegated to the Federal ministry,

2. The trade with narcotics and the manufacture of exempt preparations may be adapted to the special requirements designated in sentence 1, and

3. Notifications about the stocks of—

(a) Narcotics,

(b) Exempt preparations, and

(c) Initial substances or preparations, even if these are not narcotics, required for the manufacture of narcotics,

may be ordered. Further, the person authorized to dispose of the supplies designated in sentence 2, number 3, may be obligated in the statutory order to deliver them to certain persons or agencies.

(2) The statutory order pursuant to paragraph (1) may be applied only as provided in the Basic Law (*Grundgesetz*), Article 80a, paragraph (1).

(3) (Deleted).

SECTION 21. COOPERATION OF OTHER AUTHORITIES

(1) The Federal Ministry of Finance (*Bundesministerium der Finanzen*) and the customs offices designated by it shall participate in monitoring the import, export, and transit of narcotics.

(2) The Federal Ministry of Finance may, in agreement with the Federal Ministry of the Interior (*Bundesministerium des Innern*), entrust the officials of the Federal Police, who are entrusted with border protection duties pursuant to section 2 of the Law Concerning the Federal Police (*Bundespolizeigesetz*), and in agreement with the Bavarian State Minister of the Interior, entrust the officials of the Bavarian Border Police, with the performance of tasks which, according to paragraph (1), are incumbent on the customs authorities. If the officials designated in sentence 1 perform these tasks, section 67, paragraph (2), of the Law Concerning the Federal Police shall apply accordingly.

(3) Where violations of prohibitions and restrictions of this law resulting from the customs clearance are suspected, the cooperating authorities shall inform the Federal Institute for Medicine and Pharmaceutical Products without delay.

SECTION 22. CONTROL MEASURES

(1) The persons entrusted with the control are authorized to—

1. Inspect documents concerning the trade with or manufacture of narcotics, or bringing into commercial traffic exempt preparations after their manufacture, and to make copies or photocopies therefrom as far as they may be of importance for the safety or control of the trade with narcotics, or the manufacture of exempt preparations;

2. Request all necessary information from natural and juristic persons and associations having no legal capacity;

3. Enter and inspect premises, buildings, annexes, facilities, and means of transportation in which the trade with narcotics or through which the manufacture of exempt preparations is carried, so that the authorized persons can make sure that the provisions governing the trade with narcotics or the manufacture of exempt preparations are complied with. In order to prevent immediate danger to public safety and order, especially if a frustration of the control of the trade with narcotics or the manufacture of exempt preparations must be expected, these specific premises may also be entered outside operation and business hours as well as residential premises; to this extent the basic right of the inviolability of the home (Art 13 of the Basic Law) is restricted. If industrial factories and wholesale firms are concerned, the inspections, shall generally be made every 2 years;

4. Give provisional orders as far as this is imperative to prevent immediate dangers for the safety or control of the trade with narcotics or the manufacture of exempt preparations. For the same purpose they also may prohibit further participation in the trade with narcotics or further manufacture of exempt preparations entirely or partly, and put the stocks of narcotics or stocks of exempt preparations under official seal. The competent authority (sec 19, para (1)) shall make a final decision on the temporary orders within one month of their issuance.

(2) The competent authority may also order measures according to paragraph (1), numbers 1 and 2, in writing.

SECTION 23. SAMPLING

(1) As necessary for the implementation of the provisions governing the trade with narcotics or the manufacture of exempt preparations, the persons entrusted with the supervision are authorized to request or take samples of their choice for the purpose of examination against receipt. Unless specifically waived, one part of the sample or, if the sample cannot be divided into parts of the same quality at all or without endangering the purpose of the examination, a second piece of the same kind as the one taken as a sample shall be left.

(2) Left samples shall be officially locked or sealed. They shall be marked with the date the sample was taken and the date of the day upon the expiration of which locking or sealing are considered ineffective.

(3) Adequate monetary compensation shall be made for samples taken unless this is expressly waived.

SECTION 24. OBLIGATION TO TOLERATE MEASURES AND TO COOPERATE

(1) Each person participating in the trade with narcotics or each manufacturer of exempt preparations is obligated to tolerate the measures pursuant to sections 22 and 23 and to support the persons entrusted with the supervision in the performance of their tasks, in particular to indicate to them upon request those places where the trade with narcotics or the manufacture of exempt preparations takes place, to permit access to enclosed premises, buildings, rooms, containers and receptacles; to provide information as well as to grant inspection of records and the taking of samples.

(2) The person obligated to provide information may refuse answering such questions which would make him or one of his relatives designated in section 383, paragraph (1), numbers 1 through 3, of the Code of Civil Procedure (*Zivilprozessordnung*) subject to the danger of criminal prosecution or to proceedings according to the Administrative Offenses Act (*Gesetz über Ordnungswidrigkeiten*).

SECTION 24A. REPORTING THE CULTIVATION OF HEMP

Cultivation of hemp within the meaning of letter d of the exceptional regulation concerning cannabis (marihuana) in annex I, shall be reported by submittal of three copies by 1 July of the year of cultivation to the Federal Agency for Agriculture and Foodstuffs for the fulfillment of their duties pursuant to section 19, paragraph (3). The official form issued by the Federal Agency for Agriculture and Foodstuffs shall be used for the reporting. The report must specify the—

1.Last name, first name, and address of the farmer, in case of juristic persons the name of the agricultural enterprise and of the legal representative,

2. Membership or land registration number assigned to the agricultural enterprise by the responsible professional association (*Berufsgenossenschaft)* ,

3. Sowed type of hemp and include the official labels if labels were not submitted to the competent *Land* authority within the scope of the rules on the standard business premium,

4. Size of the sowed plot in hectares and ares and indicate the plot identification number; in case that number does not exist, the land registration number or other data identifying the sowed plot recognized by the Federal Agency for Agriculture and Foodstuffs (such as the communal district, cadastral district, and parcel of land) may be provided.

The Federal Agency for Agriculture and Foodstuffs sends one copy of the report signed off by it immediately to the applicant. It shall also send one copy of the report to the competent police authorities and public prosecutors offices upon their request, if it is necessary for the prosecution of criminal acts pursuant to this law. If the Federal Institute for Agriculture and Foodstuffs has grounds to presume that the cultivation of hemp does not comply with the prerequisites of letter d of the exceptional regulation concerning cannabis (marihuana) in annex I, it will inform the local office of the public prosecutor accordingly.

SECTION 25. COSTS

(1) The Federal Institute for Medicine and Pharmaceutical Products will charge costs for its official acts, examinations, and investigations pursuant to this law and to the statutory orders issued on the basis of this law (fees and expenses).

(2) Without the consent of the Federal Council, the Federal ministry is authorized to further specify the acts subject to fees and to determine fixed rates or skeleton rates by statutory order.

CHAPTER V
REGULATIONS FOR AUTHORITIES

SECTION 26. FEDERAL ARMED FORCES, FEDERAL POLICE, RIOT POLICE, AND CIVIL DEFENSE

(1) With the exception of the provisions concerning the license pursuant to section 3, this law is applicable to facilities serving the supply of the Federal Armed Forces and the Federal Police with narcotics, as well as to the stock of narcotics designated in annex II or III and is equally applicable to civil defense.

(2) For the Federal Armed Forces and the Federal Police, the enforcement of this law and the control of the trade with narcotics is incumbent upon the responsible agencies and experts of the Federal Armed Forces and the Federal Police. In the field of civil defense, the enforcement of this law is incumbent upon the Federal and *Land* authorities responsible for the supply of medical material.

(3) The Federal Ministry of Defense (*Bundesministerium der Verteidigung*), in agreement with the Federal ministry, may for his area of responsibility, permit exceptions from this law and the statutory orders issued on the basis of this law, in specific cases, if this is not in opposition to the international drug agreements and cogent reasons of defense so require.

(4) With the exception of the provisions concerning the license pursuant to section 3, this law applies accordingly to facilities for the supply with narcotics to the riot police of the *Länder*.

(5) (Deleted)

SECTION 27. REPORTS AND INFORMATION

(1) The Federal Office of Criminal Investigation (*Bundeskriminalamt*) will prepare an annual report for the Federal Institute for Medicine and Pharmaceutical Products by 31 March for the past calendar year on the seizures of narcotics according to type and quantity that it became aware of, as well as the further use of the narcotics, if necessary. In case of further uses, the name or the firm and address of the buyer shall be indicated.

(2) The authorities designated in section 26 shall, upon request, furnish information to the Federal Institute for Medicine and Pharmaceutical Products concerning the trade with narcotics within their areas of responsibility as far as this is required for the implementation of international drug agreements.

(3) The following information on criminal proceedings dealing with criminal acts pursuant to this law shall be transmitted to—

1. The responsible *Land* authority for the monitoring and control of the trade with narcotics in case of the persons and institutions designated in section 19, paragraph (1), sentence 3, the final decisions with the reasons if punishment or a measure of reform and prevention was imposed or the accused was dismissed because of lack of criminal responsibility,

2. The Federal Institute for Medicine and Pharmaceutical Products for the fulfillment of the duties stated in section 19, paragraph (1), sentence 2, in case public charges are preferred against physicians, dentists and veterinarians: the—

a) Bill of indictment or a petition taking its place;

b) Petition for issuance of an order imposing punishment, and

c) Final decision of the proceedings and the reasons; if an appeal was dismissed by such decision or if the appealed decision is referred to, it shall also be transmitted.

The authority responsible for the execution of the punishment or the authority responsible for the prosecution shall initiate the transmittal.

(4) The final decision with reasons in other criminal matters may be transmitted to the responsible *Land* authority if there is a connection between the criminal act and the trade in narcotics and if the transmitting authority considers knowledge of the decision necessary for the monitoring of the trade in narcotics; paragraph (3), sentence 1, number 2, letter c, second half sentence, applies accordingly.

SECTION 28. ANNUAL REPORT TO THE UNITED NATIONS

(1) The Federal Government shall prepare an annual report by 30 June for the past calendar year for the Secretary General of the United Nations concerning the implementation of the international drug agreements on a form determined by the United Nations Drug Commission. The competent *Länder* authorities shall participate in the compilation of the report and shall submit their contributions to the Federal Institute for Medicine and Pharmaceutical Products by 31 March for the past calendar year. If the information requested in the form is not available it shall be estimated.

(2) The Federal Government is authorized, with the consent of the Federal Council, to determine by statutory order the persons and authorities obligated to furnish reports such as statistical statements, other data and information required for the implementation of international drug agreements. Provisions concerning procedure, form, point in time, and the recipient of the reports may be established in the statutory order.

CHAPTER VI
CRIMINAL ACTS AND ADMINISTRATIVE OFFENSES

SECTION 29. CRIMINAL ACTS

(1) Imprisonment of up to 5 years or a fine will be imposed on any person who—

1. Without being authorized, cultivates, produces, and trades with narcotics or imports, exports, sells, delivers, otherwise brings them into commercial trade, acquires, or procures narcotics in any other way without trading with them;

2. Produces an exempt preparation (sec 2, para 1, no. 3) without a license pursuant to section 3, paragraph (1), number 2;

3. Possesses narcotics without possessing a written authorization to acquire them;

4. (Deleted);

5. Contrary to section 11, paragraph (1), sentence 2, transits narcotics;

6. Contrary to section 13, paragraph (1),

a) Prescribes narcotics,

b) Administers or delivers narcotics for direct use;

7. Contrary to section 13, paragraph (2),

a) Dispenses narcotics in a pharmacy or a veterinary dispensary;

b) Delivers diamorphine as a pharmaceutical entrepreneur;

8. Contrary to section 14, paragraph (5), advertises for narcotics;

9. Gives incorrect or incomplete information to obtain a prescription of a narcotic for himself, for another, or for an animal;

10. Publicly or out of selfish motives communicates an opportunity for illicit use, acquisition, or illicit delivery of narcotics, procures or grants such opportunity for another, or seduces him to the illicit use of narcotics; or

11. Procures or grants another person the opportunity to unauthorized use of narcotics without a license pursuant to section 10a, or who communicates out of selfish motives or publicly an opportunity to such consumption outside an institution pursuant to section 10a;

12. Publicly, in a gathering or by circulation of written material (sec 11, para (3), of the Criminal Code (*Strafgesetzbuch*)) incites the consumption of narcotics which were not legally prescribed;

13. Makes funds and other assets available to another for an illegal act pursuant to number 1, 5, 6, 7, 10, 11, or 12;

14. Acts in violation of a statutory order pursuant to section 11, paragraph (2), sentence 2, number 1, or section 13, paragraph (3), sentence 2, number 1, 2a, or 5, as far as it refers to this penal provision in connection with certain facts of an offense.

Distribution of sterile syringes to drug addicts and public information about it do not represent procurement and public communication of an opportunity for use of drugs within the meaning of sentence 1, number 11.

(2) In the cases of paragraph (1), sentence 1, number 1, 2, 5, or 6, letter b, the attempt is punishable.

(3) In particularly serious cases the penalty shall be imprisonment for not less than 1 year. In general, a particularly serious case exists if the perpetrator—

1. In the cases of paragraph (1), sentence 1, number 1, 5, 6, 10, 11, or 13, acts on a commercial basis;

2. Endangers the health of several human beings by one of the acts designated in paragraph (1), sentence 1, number 1, 6, or 7.

(4) If the perpetrator in the cases of paragraph (1), sentence 1, number 1, 2, 5, 6 (letter b), 10, or 11 acts negligently, the punishment shall be imprisonment up to 1 year or a fine.

(5) The court may refrain from imposing a punishment according to paragraphs (1), (2), and (4), if the perpetrator cultivates, produces, imports, exports, transits, acquires, otherwise procures, or possesses narcotics in small quantities for his own use only.

(6) As far as they concern the trade, delivery, or sale of narcotics, the provisions of paragraph (1), sentence 1, number 1, shall also be applied if the act extends to substances or preparations which are not narcotics, however, which have been offered as such.

SECTION 29A. CRIMINAL ACTS

(1) Imprisonment of no less than 1 year will be imposed on any person who—

1. Being over 21 years of age gives narcotics to a person under 18 years of age without having authorization, or administers them to such a person, or makes them available for direct use in violation of section 13, paragraph (1), or

2. Engages in the trade with narcotics of significant quantity without authorization, manufactures or delivers them in a significant quantity, or possesses them without having them acquired on the basis of a license pursuant to section 3, paragraph (1).

(2) In less severe cases punishment will be imprisonment from 3 months up to 5 years.

SECTION 30. CRIMINAL ACTS

(1) Imprisonment of no less than 2 years will be imposed on any person who—

1. Without authorization, cultivates, produces, or trades with narcotics (sec 29, para (1), sent 1, no. 1) thereby acting as a member of a gang which has combined for the continued commission of such acts;

2. In the case of section 29a, paragraph (1), number 1, acts on a commercial basis;

3. Delivers, administers, or leaves narcotics for direct use to another and thereby negligently causes his death, or

4. Imports narcotics of significant quantity without authorization.

(2) In less severe cases, the punishment shall be imprisonment from 3 months up to 5 years.

SECTION 30A. CRIMINAL ACTS

(1) Whoever cultivates, produces, trades with, imports, or exports (sec 29, para (1), sent 1, no. 1) narcotics of significant quantity without authorization, thereby acting as a member of a gang which has combined for continuous commission of such acts, will be punished by imprisonment of not less than 10 years.

(2) There will also be punished who—

1. As a person over 21 years of age causes a person under 18 years of age to trade with narcotics without authorization, to import, export, sell, make them available or otherwise introduce them into the market without trading them, or to promote such activities, or

2. Trades with narcotics of significant quantity without authorization or imports, exports or procures them without trading them, carrying along a firearm or other objects which, due to their type, can be used and are intended to injure people.

(3) In less severe cases, punishment shall be imprisonment from 6 months up to 5 years.

SECTION 30B. CRIMINAL ACTS

Section 129 of the Criminal Code also applies if an association, whose purpose of action is directed towards illicit distribution of narcotics within the meaning of section 6, number 5, of the Criminal Code, does not or not only exist within the Federal Republic of Germany.

SECTION 30C. FINES LEVIED ON PROPERTY

(1) In the cases of section 29, paragraph (1), sentence 1, numbers 1, 5, 6, 10, 11, and 13, section 43a of the Criminal Code shall be applied. This does not apply if the perpetrator sells, delivers, acquires, or otherwise procures narcotics without engaging in trade with them.

(2) In the cases of sections 29a, 30, 30a, and 30b, section 43a of the Criminal Code shall be applied.

SECTION 31. MITIGATION OF PUNISHMENT OR ABSTENTION FROM PUNISHMENT

The court may mitigate the punishment pursuant to section 49, paragraph (1), of the Criminal Code or, if the perpetrator has not incurred a punishment of more than 3 years imprisonment, refrain from imposing a punishment if the perpetrator—

1. By voluntarily disclosing his knowledge has substantially contributed that the act, beyond his own contribution to the act, could be exposed, or

2. Voluntarily discloses his knowledge of a planned act to an authority so timely that offenses pursuant to section 29, paragraph (3), section 29a, paragraph (1), section 30, paragraph (1), or section 30a, paragraph (1), can still be prevented.

Section 46b, paragraphs (2) and (3), of the Criminal Code shall apply accordingly

SECTION 31A. ABSTENTION FROM PROSECUTION

(1) If the proceedings involve an offense under section 29, paragraph (1), (2), or (4), the office of the public prosecutor may abstain from prosecution if the guilt of the perpetrator would have to be considered minor, no public interest in a prosecution exists, and the perpetrator cultivates, produces, imports, exports, acquires or otherwise procures or possesses the narcotics only for his own use in an insignificant quantity. Prosecution shall be refrained from if the perpetrator, in a drug consumption room, possesses narcotics just for his own use, which can be tolerated pursuant to section 10a, in a small quantity even if he does not at the same time possess a written license authorizing him to acquire narcotics.

(2) If charges have already been preferred, the court may at any time in the course of the proceedings discontinue the proceedings under the prerequisites of sentence 1, with consent of the public prosecutor and the accused before trial. Consent of the accused before trial is not required if the main trial cannot be held for the reasons stated in section 205 of the Code of Criminal Procedure (*Strafprozeßordnung*), or in the cases of section 231, paragraph (2), of the Code of Criminal Procedure, and sections 232 and 233 of the Code of Criminal Procedure the trial is held in his absence. The decision is issued by order. The order cannot be appealed.

SECTION 32. ADMINISTRATIVE OFFENSES

(1) An administrative offense is committed by any person who intentionally or negligently—

1. Contrary to section 4, paragraph (3), sentence 1, fails to report participation in the trade with narcotics;

2. Makes false statements in an application pursuant to section 7, also in connection with section 10a, paragraph (3), or section 13, paragraph (3), sentence 3, or attaches false records;

3. Contrary to section 8, paragraph (3), sentence 1, also in connection with section 10a, paragraph (3), fails to report a change correctly, completely, or immediately;

4. Acts contrary to an enforceable condition pursuant to section 9, paragraph (2), also in connection with section 10a, paragraph (3);

5. Contrary to section 11, paragraph (1), sentence 1, imports or exports narcotics without a license;

6. Acts contrary to a statutory order pursuant to section 11, paragraph (2), sentence 2, numbers 2 through 4; section 12, paragraph (4); section 13, paragraph (3), sentence 2, number 2, 3, or 4; section 20, paragraph (1); or section 28, paragraph (2); as far as it refers to this administrative fining provision for certain facts;

7. Contrary to section 12, paragraph (1), delivers narcotics or, contrary to section 12, paragraph (2), fails to report the delivery or acquisition correctly, completely, or immediately, or fails to acknowledge receipt;

8. Contrary to section 14, paragraphs (1) through (4), fails to identify narcotics properly;

9. Acts in violation of an enforceable order pursuant to section 15, sentence 2;

10. Contrary to section 16, paragraph (1), fails to properly destroy narcotics, to prepare a record or to safekeep it, or contrary to section 16, paragraph (2), sentence 1, fails to turn in narcotics to have them destroyed, each also in connection with section 16, paragraph (3);

11. Contrary to section 17, paragraph (1) or (2), fails to keep records, keep them correctly or completely, or contrary to section 17, paragraph (3), fails to safekeep records or copies of invoices;

12. Contrary to section 18, paragraphs (1) through (3), fails to prepare reports, prepare them correctly, completely, or in due time;

13. Contrary to section 24, paragraph (1), fails to comply with an obligation to tolerate a measure and to cooperate;

14. Contrary to section 24a fails to report the cultivation of hemp, fails to report it correctly, completely, or in due time;

15. Mails narcotics regardless of the fact that, according to the World Postal Convention or an agreement of the World Postal Association, it is prohibited to use postal services for such purpose; the secrecy of mail pursuant to Article 10, paragraph (1), of the Basic Law will be restricted to the extent necessary for the prosecution and punishment of the administrative offense.

(2) The administrative offense may be punished by a fine up to 25,000 euros.

(3) The administrative authority within the meaning of section 36, paragraph (1), number 1, of the Administrative Offenses Act is the Federal Institute for Medicine and Pharmaceutical Products as far as the law is enforced by it; in the case of section 32, paragraph (1), number 14, it is the Federal Agency for Agriculture and Foodstuffs.

SECTION 33. EXTENDED FORFEITURE AND CONFISCATION

(1) Section 73d of the Criminal Code shall apply in the cases of—

1. Section 29, paragraph (1), sentence 1, numbers 1, 5, 6, 10, 11, and 13, if the perpetrator acts on a commercial basis, and

2. Sections 29a, 30, and 30a.

(2) Items, to which an offense pursuant to sections 29 through 30a or an administrative offense pursuant to section 32 refers, may be confiscated. Section 74a of the Criminal Code and section 23 of the Administrative Offenses Act shall be applicable.

SECTION 34. SUPERVISION OF CONDUCT
In the cases of section 29, paragraph (3), and sections 29a, 30, and 30a, the court may order supervision of conduct (sec 68, para (1), of the Criminal Code).

CHAPTER VII
DRUG-ADDICTED OFFENDERS

SECTION 35. POSTPONEMENT OF THE EXECUTION OF THE SENTENCE

(1) If a person has committed an offense for which he is sentenced to imprisonment not exceeding 2 years and if the grounds for judgment reveal that he committed the act because of an addiction to narcotics, or if this is an established fact, the execution authority, with the approval of the court of first instance, may postpone execution of the punishment, a remaining sentence, or the measure involving commitment to an institution for drug or alcohol addicts for a maximum of 2 years if the convicted person undergoes treatment because of his addiction serving his rehabilitation or promises to undergo such treatment, and its commencement is guaranteed. Treatment in a state-recognized institution designed to remedy an addiction or to control a new addiction is also considered as such treatment.

(2) The execution authority is entitled to a complaint pursuant to chapter two of part three of the Code of Criminal Procedure against the refusal of the court of first instance to give consent. The convicted person can only challenge the refusal of such consent in conjunction with the refusal of the executing authority to postpone execution pursuant to sections 23 through 30 of the Introductory Law to the Law on the Constitution of Courts (*Einführungsgesetz zum Gerichtsverfassungsgesetz*). In such case, the Superior State Court (*Oberlandesgericht*) also decides about the refusal to give consent, it may give consent itself.

(3) Paragraph (1) applies accordingly, if a—

1. Total sentence of imprisonment not exceeding 2 years has been imposed, or

2. Sentence of imprisonment or a total sentence of imprisonment exceeding 2 years has been imposed and a remainder of the sentence or of the total sentence of imprisonment to be executed does not exceed 2 years,

and, otherwise, the prerequisites of paragraph (1) have been complied with for the predominant part of the offenses for which a sentence has been imposed.

(4) The convicted person is obligated to furnish proof concerning the commencement and continuation of the treatment at certain dates fixed by the execution authority; the persons or institutions providing the treatment shall communicate its discontinuance to the execution authority.

(5) The execution authority shall revoke postponement of the execution of sentence if the treatment is not commenced or continued and it cannot be expected that the convicted person will soon start or resume a treatment of a similar type, or if the convicted person fails to furnish proof according to paragraph (4). Such revocation may be refrained from if the convicted person subsequently proves that he is under treatment. A revocation according to sentence 1 does not affect a new postponement of the execution.

(6) The postponement of execution shall also be revoked if—

1. In case of subsequent assessment of a total sentence, its execution is not postponed according to paragraph (1) in connection with paragraph (3), or

2. Another sentence or imprisonment imposed on the accused or a measure of reform and prevention involving deprivation of liberty is to be executed.

(7) If the execution authority has revoked postponement, it shall be authorized to issue a warrant of arrest for the execution of the sentence or the commitment to an institution for drug and alcohol addicts. The decision of the court of first instance may be obtained against the revocation. The continuation of execution is not impeded by appealing to the court. Section 462 of the Code of Criminal Procedure applies accordingly.

SECTION 36. CREDIT FOR TIME ALREADY SERVED AND SUSPENSION OF SENTENCE ON PROBATION

(1) If the execution has been postponed and if the convicted person has undergone treatment at a state-recognized institution, the period of his stay in such institution, for which the convicted person must furnish proof, shall be credited against the sentence until two-thirds of the sentence are completed as a result of the crediting. The decision concerning the crediting of the sentence is rendered by the court together with the approval pursuant to section 35, paragraph (1). If, due to the crediting, two-thirds of the sentence are completed or if a treatment at the institution at an earlier date is no longer required, the court will suspend execution of the remaining sentence on probation as soon as this can be justified in consideration of the public safety interest.

(2) If execution has been postponed and the convicted person has submitted to a treatment of his addiction, other than that designated in paragraph 1, the court will suspend execution of the sentence of imprisonment or the remainder of the sentence on probation as soon as this can be justified in consideration of the public safety interest.

(3) If the convicted person has submitted to a treatment because of his addiction after the offense the court may order that the period of treatment, in whole or in part, be credited against the sentence, if the prerequisites of paragraph (1), sentence 1, do not exist, and if this is indicated in consideration of the demands put on the convicted person by the treatment.

(4) Sections 56a through 56g, and section 57, paragraph (5), sentence 2, of the Criminal Code apply accordingly.

(5) The decisions according to paragraphs (1) through (3) are rendered by the court of the first instance by decision without a hearing. The execution authority, the convicted person, and the persons or institutions providing the treatment shall be heard. A special appeal within a short statutory period is possible against the decisions. Section 454, paragraph (4), of the Code of Criminal Procedure applies accordingly to the decisions pursuant to paragraph (1), sentence 3, and paragraph (2); the instructions concerning suspension of the remaining sentence are given by the court.

SECTION 37. REFRAINING FROM PREFERRING PUBLIC CHARGES

(1) If an accused is suspected of having committed an offense based on an addiction to narcotics and if a sentence of imprisonment not exceeding 2 years is expected, the office of the public prosecutor may temporarily refrain from preferring public charges, with the consent of the court competent to open the main proceedings, if the accused furnishes proof that he has undergone treatment designated in section 35, paragraph (1), because of his addiction and his rehabilitation may be expected. The office of the public prosecutor shall fix the dates when the accused has to furnish proof for the continuation of the treatment. The proceedings will be resumed if—

1. The treatment is not continued until its intended termination;

2. The accused fails to furnish proof according to sentence 2;

3. The accused commits an offense, showing thereby that the expectation which was the basis for not preferring public charges has not been fulfilled; or

4. Based on new facts or evidence, imprisonment of more than 2 years is to be expected.

In the cases of sentence 3, numbers 1 and 2, the continuation of the proceedings may be refrained from if the accused subsequently proves his further treatment. The act may no longer be prosecuted if the proceedings are not continued within 2 years.

(2) If charges have already been preferred, the court may, with consent of the office of the public prosecutor, temporarily stay the proceedings until the end of the trial when the determinations may be examined for the last time. The decision is made by an order which may not be contested. Paragraph (1), sentences 2 through 5, applies accordingly. A determination that the proceedings will not be continued may also not be contested (para (1), sent 5).

(3) The regulations stipulated in section 172, paragraph (2), sentence 3; section 396, paragraph (3); and section 467, paragraph (5), of the Code of Criminal Procedure, re section 153a of the Code of Criminal Procedure, apply accordingly.

SECTION 38. JUVENILES AND ADOLESCENTS

(1) Sections 35 and 36 apply accordingly if youth sentences are imposed. In addition to the promise of the juvenile pursuant to section 35, paragraph (1), sentence 1, the consent of the person in charge of the juvenile's upbringing and that of his legal representative is also required. Section 83, paragraph (2), number 1, paragraph (3), sentence 2, of the Youth Court Law (*Jugendgerichtsgesetz*) apply accordingly in case of section 35, paragraph (7), sentence 2. Sections 22 through 26a of the Youth Court Law apply accordingly in deviation of section 36, paragraph (4). In addition to section 454, paragraph (4), of the Code of Criminal Procedure, section 58, section 59, paragraphs (2) through (4), and section 60 of the Youth Court Law shall be applied to decisions pursuant to section 36, paragraph (1), sentence 3, and paragraph (2).

(2) Section 37 applies accordingly also to juveniles and adolescents.

CHAPTER VIII
TRANSITIONAL AND FINAL PROVISIONS

SECTION 39. TRANSITIONAL REGULATION
Facilities in whose rooms the consumption of brought along narcotics not prescribed by a physician has been tolerated from 1 January 1999 may only continue to be operated without a permit from the competent highest *Land* authority if at the latest 24 months after entry into force of the Third Law to Amend the Narcotics Law (*Drittes BtMG-Änderungsgesetz*) of 28 March 2000, Federal Law Gazette I p. 302, a statutory order pursuant to section 10a, paragraph (2), is issued and an application for a license pursuant to section 10a, paragraph (1), is filed. These institutions may only continue to operate until a final decision on an application, if the requirements according to section 10a, paragraph (2), or according to one of the statutory orders issued on the basis of this regulation are complied with. Section 29, paragraph (1), sentence 1, numbers 10 and 11, also applies to facilities pursuant to sentence 1.

SECTION 39A. TRANSITIONAL REGULATION TAKING INTO ACCOUNT THE LAW AMENDING REGULATIONS ON PHARMACEUTICAL PRODUCTS AND MEDICINES AS WELL AS OTHER REGULATIONS
Proof of the required technical knowledge is considered provided pursuant to section 6, paragraph (1), number 1, for a person who does not have the technical knowledge required under section 5, paragraph (1), number 2, but meets the prerequisites pursuant to section 141, paragraph (3), of the Law on the Production and Distribution of Medicines on 22 July 2009.

SECTIONS 40. and 40A. (OBSOLETE)

SECTION 41. (DELETED)

Annexes
(Re sec 1, para (1))

Column 1 contains the International Nonproprietary Names (INN) of the World Health Organization. In the naming of the substance, the INN takes priority over all other designations.

Column 2 contains other unprotected names of substances (short names or trivial names). If no INN exists for a substance, the bold-printed designation in this column can be used as an unequivocal designation. All other designations not in bold print are not scientifically specified. They should therefore be used in connection with the designation in column 3.

Column 3 contains the chemical substance designation according to the nomenclature of the International Union of Pure and Applied Chemistry (IUPAC). If no designation is listed in column 1 or 2, the one in column 3 shall be used.

Annex I
(Narcotics that may not be put into trade)

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Acetorphine	--	{4,5α-Epoxy-7α-[(*R*)-2-hydroxy-pentan-2-yl]-6-methoxy-17-methyl-6,14-ethenomorphinan-3-yl}acetate
--	Acetyldihydrocodeine	(4,5α-Epoxy-3-methoxy-17-methyl-morphinan-6α-yl)acetate
Acetylmethadol	--	(6-Dimethylamino-4,4-diphenyl-heptan-3-yl)acetate
--	Acetyl-α-methylfentanyl	*N*-Phenyl-*N*-[1-(1-phenylpropan-2-yl)-4-piperidyl]acetamide
--	--	4-Allyloxy-3,5-dimethoxyphenethylazane
Allylprodine	--	(3-Allyl-1-methyl-4-phenyl-4-piperidyl) propionate
Alphacetylmethadol	--	[3*R*,6*R*)-6-Dimethylamino-4,4-diphenyl-heptan-3-yl]acetate
Alphameprodine	--	[(*3RS,4SR*)-3-Ethyl-1-methyl-4-phenyl-4-piperidyl]propionate
Alphamethadol	--	(*3R,*6*R*)-6-Dimethylamino-4,4 -diphenyl-heptan-3-ol
Alphaprodine	--	[(*3R*S,*4SR*)-1,3-Dimethyl-4-phenyl-4-piperidyl]propionate
Anileridine	--	Ethyl[1-(4-aminophenethyl)-4-phenyl-piperidin-4-carboxylate]
--	BDB	1-(1,3-Benzodioxol-5-yl)butan-2-ylazane

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Benzethidine	--	Ethyl{1-[2-(benzyloxy)ethyl]-4-phenyl-piperidin-4-carboxylate}
Benzphetamine	Benzphetamine	(Benzyl)(methyl)(1-phenylpropan-2-yl)azane
--	--	1-(1,3-Benzodioxol-5-yl)-2-(pyrrolidin-1-yl) propan-1-one
--	Benzylfentanyl	*N*-(1-Benzyl-4-piperidyl)-*N*-phenyl-propanamide
--	Benzylmorphine	3-Benzyloxy-4,5α-epoxy-17-methyl-morphin-7-en-6α-ol
Betacetylmethadol	--	[(*3S*,6*R*)-6-Dimethylamino-4,4-diphenyl-heptan-3-yl]acetate
Betameprodine	--	[(3*RS*,4*RS*)-3-Ethyl-1-methyl-4-phenyl-4-piperidyl]propionate
Betamethadol	--	(3*S*,6*R*)- 6-Dimethylamino-4, 4-diphenyl-heptan-3-ol
Betaprodine	--	[(3*RS*,4*RS*)-1,3-Dimethyl-4-phenyl-4-piperidyl]propionate
Bezitramide	--	4-[4-(2-Oxo-3-propionyl-2,3-dihydro-benzimidazol-1-yl)piperidino] - 2,2-diphenyl-butannitrile
Brolamphetamine	Dimethoxybromamphetamine (DOB)	(*RS*)-1-(4-Brom-2,5-dimethoxy-phenyl) propan-2-ylazane
--	Bromdimethoxyphenethylamine (BDMPEA)	4-Brom-2,5-dimethoxyphenethylazane
--	**Cannabis** (marijuana, plants and parts of plants belonging to the cannabis species)	--

- except:
a) Their seeds, unless they are used for unauthorized cultivation,

b) If they were cultivated in member States of the European Union using certified seeds of certain varieties that, on 15 March of the year of production, are listed in the pertinent version of the Common Catalogue of Varieties of Agricultural Plant Species designated in Article 10 of the Commission Regulation (EC) No 1120/2009 of 29 October 2009 laying down detailed rules for the implementation of the single payment scheme provided for in Title III of Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers (OJ L 316, 2.12.2009, p 1)—with exception of the varieties Final and Tiborszallasi—or if their tetrahydrocannabinol contents does not exceed 0.2 percent and trading with them (except the cultivation) exclusively serves commercial or scientific purposes that exclude an abuse for intoxication,

c) If they are planted in protective rows for the cultivation of beets and are destroyed before their blooming,

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names

d) If they are cultivated by agricultural enterprises that comply with the prerequisites of section 1, paragraph (4), of the Law on the Retirement Insurance for Farmers (*Gesetzes über die Alterssicherung der Landwirte*)—with the exception of enterprises of forestry, horticulture, and viticulture, fish farming, fish farming in ponds, bee-keeping, fresh water fishery, and migratory herding—or that are eligible for a subsidy pursuant to Council Regulation (EC) No EC 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 178/2003 (OJ L 30, 31.1.2009, p16) (each as amended at the time), and if they are exclusively cultivated using certified seeds of certain varieties that, on 15 March of the year of production, are listed in the Common Catalogue of Varieties of Agricultural Plant Species designated in Article 10 of Regulation (EC) No 1120/2009 (hemp for manufacturing purposes) or

e) For the purposes described in annexes II and III -

--	**Cannabis resin** (hashish, the resin secreted from plants belonging to the cannabis species)	--
Carfentanile	--	Methyl[1-phenethyl-4-(*N*-phenyl-propanamido)piperidin-4-carboxylate]
Cathinone	--	(*S*)-2-Amino-1-phenylpropan-1-one
--	2C I	4-lod-2,5-dimethoxyphenethylazane
--	6-CI-MDMA	[1-(6-Chlor-1,3-benzodioxol-5-yl) propan-2-yl](methyl)azane
Clonitazene	--	{2-[2-(4-Chlorbenzyl)-5-nitrobenzi mi-dazol-l-yl]ethyl}diethylazane
--	**Codeine-*N*-oxid**	4,5α-Epoxy-3-methoxy-17-methyl-morphin-7-en-6α-ol-17-oxide
--	2C-T-2	4-Ethylsulfanyl-2,5-dimethoxy-phenethylazane
--	2C-T-7	2,5-Dimethoxy-4-(propylsulfanyl) phenethylazane
Codoxime	--	(4,5α-Epoxy-3-methoxy-17-methyl-morphinan-6-ylidenaminooxy)acetic acid
Desomorphine	Dihydrodesoxymorphine	4,5α-Epoxy-17-methylmorphinan-3-ol
Diapromide	--	*N*-{2-[(Methyl)(phenethyl)amino]propyl}-*N*-phenylpropanamide
--	Diethoxybromamphetamine	1-(4-Brom-2,5-diethoxyphenyl)propane-2-ylazane
Diethylthiambutene	--	Diethyl(1-methyl-3,3-di-2-thienylallyl)azane

--	*N,N*-Diethyltryptamine (Diethyltryptamine, DET)	Diethyl[2-(indol-3-yl)ethyl]azane

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Dimenoxadol	--	(2-Dimethylaminoethyl)[(ethoxy)(diphenyl)acetate]
Dimepheptanol	Methadol	6-Dimethylamino-4,4-diphenylheptan-3-ol
--	Dimethoxyamphetamine (DMA)	1-(2,5-Dimethoxyphenyl)propane-2-ylazane
--	Dimethoxyethylamphetamine (DOET)	1-(4-Ethyl-2,5-dimethoxyphenyl)propane-2-ylazane
--	Dimethoxymethylamphetamine (DOM, STP)	(*RS)*-1-(2,5-Dimethoxy-4-methylphenyl) propan-2-ylazane
--	Dimethylheptyltetrahydrocannabinol (DMHP)	6,6,9-Trimethyl-3-(3-methyloctan-2-yl)-7,8,9,10-tetrahydro-6*H*-benzo[*c*] chromen-1-ol
Dimethylthiambutene	--	Dimethyl(1-methyl-3,3-di-2-thienylallyl) azane
--	*N,N*-Dimethyltryptamine (Dimethyltryptamine, DMT)	[2-(Indol-3-yl)ethyl]dimethylazane
Dioxaphetylbutyrate	--	Ethyl(4-morpholino-2,2-diphenylbutanoate)
Dipipanone	--	4,4-Diphenyl-6-piperidinoheptan-3-one
--	DOC	1-(4-Chlor-2,5-dimethoxyphenyl) propan-2-ylazane
Drotebanol	--	3,4-Dimethoxy-17-methylmorphinan-6*β*, 14-diol
Ethylmethylthiambutene	--	(Ethyl)(methyl)(1-methyl-3, 3-di-2-thienyl allyl)azane
--	Ethylpiperidylbenzilate	(1-Ethyl-3-piperidyl)benzilate
Eticyclidine	PCE	(Ethyl)(1-phenylcyclohexyl)azane
Etonitazene	--	{2-[2-(4-Ethoxybenzyl)-5-nitrobenzimidazol-1-yl]ethyl}diethylazane
Etoxeridine	--	Ethyl{1-[2-(2-hydroxyethoxy)ethyl]-4-phenylpiperidin-4-carboxylate}
Etryptamine	α-Ethyltryptamine	1-(Indol-3-yl)butane-2-ylazane
--	FLEA	*N*-[1-(1,3-Benzodioxol-5-yl)propane-2-yl]-*N*-methylhydroxylamine

--	4-Fluoroamfetamine (4-FA, 4-FMP)	(RS)-1-(4-Fluorophenyl)propane-2- amine

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
--	*p*-Fluorofentanyl	*N*-(4-Fluorophenyl)-*N*-(1-phenethyl-4-piperidyl)propanamide
Furethidine	--	Ethyl-{4-phenyl-1-[2-(tetrahydro-furfuryloxy)ethyl]piperidin-4-carboxylate}
--	**Heroin** (Diacetylmorphine, Diamorphine) - Except diamorphine when used for the purposes indicated in annexes II and III	[(5*R*,6*S*)-4,5-Epoxy-17-methylmorphine-7-en-3,6-diyl]diacetate
Hydromorphinol	14-Hydroxydihydromorphine	4,5α-Epoxy-17-methylmorphinan-3,6α, 14-triol
--	*N*-Hydroxyamphetamine (NOHA)	*N*-(1-Phenylpropane-2-yl)hydroxylamine
--	*ß*-Hydroxyfentanyl	*N*-[1-(2-Hydroxy-2-phenylethyl)-4-piperidyl]-*N*-phenylpropanamide
--	Hydroxymethylene-dioxyamphetamine (*N*-Hydroxy-MDA,MDOH)	*N*-[1-(1,3-Benzodioxol-5-yl) propane-2-yl]hydroxilamine
--	*ß*-Hydroxy-3-methylfentanyl (Ohmefentanyl)	*N*-[1-(2-Hydroxy-2-phenylethyl)-3-methyl-4-piperidyl]-*N*-phenylpropanamide
Hydroxypethidine	--	Ethyl[4-(3-hydroxyphenyl)-1-methyl-piperidin-4-carboxylate]
Lefetamine	SPA	[(*R*)-1,2-Diphenylethyl]dimethylazane
Levomethorphan	--	(9*R*,13*R*,14*R*)-3-Methoxy-17-methyl-morphinan
Levophenacylmorphan	--	2-[(9*R*,13*R*,14*R*)-3-Hydroxymorphinan 17-yl]-1-phenylethanon
Lofentanil	--	Methyl[(3*R*,4*S*)-3-methyl-1-phenethyl-4-(*N*-phenylpropanamido)piperdidin-4-carboxylate]
Lysergide	*N,N*-diethyl-D-Iysergamide (LSD, LSD-25)	*N,N*-Diethyl-6-methyl-9,10-didehydroergolin-*8ß*-carboxamide
--	MAL	3,5-Dimethoxy-4-(2-methylallyloxy) phenethylazane
--	MBDB	[1-(1,3-Benzodioxol-5-yl)butane-2-yl] (methyl)azane

INN	Other unprotected names	Chemical Names

or trivial names	(IUPAC)	
--	Mebroqualone	3-(2-Bromphenyl)-2-methyl-chinazolin-4(3*H*)-one
Mecloqualone	--	3-(2-Chlorphenyl)-2-methyl-chinazolin-4(3*H*)-one
--	**Mescaline**	3,4,5-Trimethoxyphenethylazane
Metazocine	--	3,6,11-Trimethyl-1,2,3,4,5,6-hexa-hydro-2,6-methano-3-benzazocin-8-ol
--	Methcathinone (Ephedrone)	2-Methylamino-1-phenylpropan-1-one
--	Methoxyamphamine (PMA)	1-(4-Methoxyphenyl)propane-2-ylazane
--	5-Methoxy-*N,N*-diisopropyl-tryptamin (5-MeO-DIPT)	Diisopropyl[2-(5-methoxyindol-3-yl) ethyl]azane
--	5-Methoxy-DMT (5-MeO-DMT)	[2-(5-Methoxyindol-3-yl)ethyl] dimethylazane
--	--	(2-Methoxyethyl)(1-phenylcyclohexyl)azane
--	Metoximetamphetamine (PMMA)	[1-(4-Methoxyphenyl)propan-2-yl] (methyl)azane
--	Methoxymethylendioxyamphetamine (MMDA)	1-(7-Methoxy-1,3-benzodioxol-5-yl) propan-2-ylazane
--	Methylaminorex (4-Methylaminorex)	4-Methyl-5-phenyl-4,5-dihydro-1,3-oxazol-2-ylazane
Methyldesorphine	--	4,5α-Epoxy-6,17-dimethylmorphin-6-en-3-ol
Methyldihydromorphine	--	4,5α-Epoxy-6,17-dimethylmorphinan-3,6α-diol
--	Methylendioxyethylamphetamine (*N*-Ethyl- MDA,MDE, MDEA)	[1-(1,3-Benzodioxol-5-yl)propan-2-yl] (ethyl)azane
--	Methylendioxymetamphetamine (MDMA)	[1-(1,3-Benzodioxol-5-yl)propan-2-yl] (methyl)azane
--	α- Methylfentanyl	*N*-Phenyl-*N*-[1-(1-phenylpropane-2-yl)-4-piperidyl]propanamide
--	3-Methylfentanyl (Mefentanyl)	*N*-(3-Methyl-1-phenetyl-4-piperidyl)-*N*-phenylpropanamide
--	Methylmethaqualone	3-(2,4-Dimethylphenyl)-2-methyl-chinazolin-4(3*H*)one

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
--	4-Methylmethcathinone (Mephedrone)	1-(4-Methylphenyl)-2-methylaminopropane-1-one
--	Methylphenylpropionoxypiperidine (MPPP)	(1-Methyl-4-phenyl-4-piperdiyl)propionate
--	Methyl-3-phenylpropylamine (1M-3PP)	(Methyl)(3-phenylpropyl)azane
--	Methylphenyltetrahydropyridine (MPTP)	1-Methyl-4-phenyl-1,2,3,6- tetrahydro-pyridine
--	Methylpiperidylbenzilate	(1-Methyl-3-piperidyl)benzilate
--	4-Methylthioamphetamine (4-MTA)	1-[4-(Methylsulfanyl)phenyl]propan-2-ylazane
--	α-Methylthiofentanyl	*N*-Phenyl-*N*-{1-[1-(2-thienyl)propan-2-yl]-4-piperidyl}propanamide
--	3-Methylthiofentanyl	*N*-{3-Methyl-1-[2-(2-thienyl)ethyl]-4-piperidyl}-*N*-phenylpropanamide
--	α-Methyltryptamine (α-MT)	1-(Indol-3-yl)propan-2-ylazane
Metopon	5-Methyldihydromorphinone	4,5α-Epoxy-3-hydroxy-5, 17-dimethyl-morphinan-6-one
Morpheridine	--	Ethyl[1-(2-morpholinoethyl)-4-phenyl-piperidin-4-carboxylate]
--	**Morphine-N-oxide**	(5*R*,6*S*)-4,5α-Epoxy-3,6-dihydroxy-17-methylmorphin-7-en-17-oxide
Myrophine	Myristylbenzylmorphine	(3-Benzyloxy-4,5α-epoxy-17-methyl-morphin-7-en-6-yl)tetradecanoate
Nicomorphine	3,6-Dinicotinoylmorphine	(4,5α-Epoxy-17-methylmorphin-7-en-3,6α-diyl)dinicotinate
Noracymethadol	--	(6-Methylamino-4,4-diphenyl-heptan-3-yl)acetate
Norcodeine	*N*-Desmethylcodeine	4,5α-Epoxy-3-methoxymorphin-7-en-6α-ol
Norlevorphanol	(-)-3-Hydroxymorphinane	(9*R*,13*R*,14*R*)-Morphinan-3-ol
Normorphine	Desmethylmorphine	4,5α-Epoxy-7-morphinen-3,6α-diol
Norpipanone	--	4,4-Diphenyl-6-piperidinohexan-3-one

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
--	Parahexyl	3-Hexyl-6,6,9-trimethyl-7,8,9,10-tetra-hydro-6*H*-benzo[*c*]chromen-1-ol
--	PCPr	(1-Phenylcyclohexyl)(propyl)azane
Phenadoxone	--	6-Morpholino-4,4-diphenylheptan-3-one
Phenampromide	--	*N*-Phenyl-*N*-(1-piperidinonpropan-2-yl) propanamide
Phenazocine	--	6,11-Dimethyl-3-phenethyl-1,2,3,4,5,6-hexahydro-2,6-methano-3-benzazocin-8-ol
Phencyclidine	PCP	1-(1-Phenylcyclohexyl)piperidine
--	Phenethylphenylacetoxypiperidine (PEPAP)	(1-Phenethyl-4-phenyl-4-piperidyl) acetat
--	Phenethylphenyltetrahydropyridine (PEPTP)	(1-Phenethyl-4-phenyl-1,2,3,6-tetra-hydropyridine
Phenpromethamine	1-Methylamino-2-phenylproprane (PPMA)	(Methyl)(2-phenylpropyl)azane
Phenomorphan	--	17-Phenethylmorphinan-3-ol
Phenoperidine	--	Ethyl[1-(3-hydroxy-3-phenylpropyl)-4-phenylpiperidin-4-carboxylate]
Piminodine	--	Ethyl[1-(3-anilinopropyl)-4-phenyl-piperidin-4-carboxylate]
--	PPP	1-Phenyl-2-(pyrrolidin-1-yl)propan-1-one
Proheptazine	--	(1,3-Dimethyl-4-phenylazepan-4-yl) propionate
Properidine	--	Isopropyl(1-methyl-4-phenylpiperdin-4-caboxylate)
--	Psilocine (Psilotsin)	3-(2-Dimethylaminoethyl)indol-4-ol
--	Psilocine-(eth)	3-(2-Diethylaminoethyl)indol-4-ol
Psilocybine	--	[3-(2-Dimethylaminoethyl)indol-4-yl] dihydrogenphosphate
--	Psilocybine-(eth)	[3-(2-Diethylaminoethyl)indol-4-yl] dihydrogenphosphate
--	--	2-(Pyrrolidin-1-yl)-1-(*p*-tolyl)propan-1-one

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Racemethorphane	--	(9*RS*,13*RS*,14*RS*)-3-Methoxy-17-methyl-morphinane
Rolicyclidine	PHP	1-(1-Phenylcyclohexyl)pyrrolidine (PCPy)
--	**Salvia divinorum** (plants and parts of plants)	**--**
Tenamfetamine	Methylendioxyamphetamine (MDA)	(*RS*)-1-(1,3-Benzodioxol-5-yl)propan-2-ylazane
Tenocyclidine	TCP	1-[1-(2-Thienyl)cyclohexyl]piperidine
	Tetrahydrocannabinoles, the following isomeres and their stereochemical modifications:	
--	**Δ6a(10a)-Tetrahydrocannabinol** (Δ 6a(10a)-THC)	6,6,9-Trimethyl-3-pentyl-7,8,9,10-tetrahydro-*6H*-benzo[*c*]chromen-1-ol
--	**Δ6a-Tetrahydrocannabinol** (Δ 6a-THC)	(9*R*,10a*R*)-6,6,9-Trimethyl-3-pentyl-8,9,10,10a-tetrahydro-6*H*-benzo[*c*] chromen-1-ol
--	**Δ7-Tetrahydrocannabinol** (Δ 7-THC)	(6a*R*,9*R*,10a*R*)-6,6,9-Trimethyl-3-pentyl-6a,9,10,10a-tetrahydro-6*H*-benzo[*c*]chromen-1-ol
--	**Δ8-Tetrahydrocannabinol** (Δ 8-THC)	(6a*R*,10a*R*)-6,6,9-Trimethyl-3-pentyl-6a,7,10,10a-tetrahydro-6*H*-benzo[*c*]chromen-1-ol
--	**Δ10-Tetrahydrocannabinol** (Δ 10-THC)	(6a*R*,)-6,6,9-Trimethyl-3- pentyl-6a,7,8,9-tetrahydro-6*H*-benzo[*c*]chromen-1-ol
--	**Δ9(11)-Tetrahydrocannabinol** (Δ9(11)-THC)	(6a*R*,10a*R*)-6,6-Dimethyl-9-methylen-3-pentyl-6a,7,8,9,10,10a-hexahydro-6*H*-benzo[*c*]chromen-1-ol
--	Thenylfentanyl	*N*-Phenyl-*N*-(1-thenyl-4-piperidyl) propanamide
--	Thiofentanyl	*N*-Phenyl-*N*-{1-[2-(2-thienyl)ethyl]-4-piperidyl}propanamide
Trimeperidine	--	(1,2,5-Trimethyl-4-phenyl-4- piperidyl) propionate
--	Trimethoxyamphetamine (TMA)	1-(3,4,5-Trimethoxyphenyl)propan-2- ylazane
--	2,4,5-Trimethoxyamphetamine	1-(2,4,5-Trimethoxyphenyl)propran-2-

(TMA-2) ylazane

- The esters, ethers and molecule combinations of the substances listed in this annex unless they are contained in another annex, and the existence of such esters, ethers and molecule combinations is possible;

- The salts of the substances listed in this annex, if the existence of such salts is possible;

- The preparations of the substances listed in this annex, unless:

a) Without being used in humans or animals, they exclusively serve analytic or diagnostic purposes and their contents of one or several narcotics does not exceed 0.001 percent each or the substances in the preparations are isotope-modified

b) They are specifically exempted;

- The stereoisomers of the substances listed in this annex or another annex, if they are intended to be abused as narcotics;

- Substances pursuant to section 2, paragraph (1), number 1, letters b through d, with substances listed in this annex or another annex, as well as the biological materials suitable to reproduce or produce substances pursuant to section 2, paragraph (1), number 1, letters b through d, if an abuse for intoxication is intended.

Annex II

(Narcotics that may be put into trade but cannot be prescribed)

INN or trivial names	**Other unprotected names (IUPAC)**	**Chemical Names**
--	1-Adamantyl(1-pentyl-1H-indol-3-yl)methanonindol-3-yl)methanone	(Adamantan-1-yl)(1-pentyl-1*H*-
--	Am-694	[1-(5-Fluorpentyl)-1*H*-indol-3-yl](2-iodphenyl)methanone
Amphetaminil	--	(Phenyl)[(1-phenylpropan-2-yl) amino]acetonitril
--	Benzylpiperazine (BZP)	1-Benzylpiperazine
--	Butobarbitone	5-Butyl-5-ethlpyrimidin-2,4,6 (1*H*,3*H*,5*H*)-trione
--	meta-Chlorphenyl- piperazine (m-CPP)	1-(3-Chlorphenyl)piperazine
Amineptine	--	7-(10,11-Dihydro-5H-dibenzo[a,d][7]annulen-5-ylamino)heptane acid
Aminorex	--	5-Phenyl-4,5-dihydro-1,3-oxazol-2-ylazane
Butalbital	--	5-Allyl-5-isobutylbarbituric acid
--	Butylone	1-(Benzo[d][1,3]dioxol-5-yl)-2-(methylamino)butan-1-one
--	CP 47,497 (*cis*-3-[4-(1,1-Dimethylheptyl)-2-hydroxyphenyl]-cyclohexanol)	5-(1,1-Dimethylheptyl)-2-[(1*RS*,3*SR*)-3-hydroxycyclohexyl]-phenol

--	CP 47,497-C6-Homologue, (*cis*-3-[4-(1,1-Dimethylhexyl)-2-hydroxyphenyl]-cyclohexanol)	5-(1,1-Dimethylhexyl)-2-[(1*RS,*3*SR*)-3-hydroxycyclohexyl]-phenol
--	CP 47,497-C8-Homologue, (*cis*-3-[4-(1,1-Dimethyloctyl)-2-hydroxyphenyl]-cyclohexanol)	5-(1,1-Dimethyloctyl)-2-[(1*RS,*3*SR*)-3-hydroxycyclohexyl]-phenol
--	CP 47,497-C9-Homologue, (*cis*-3-[4-(1,1-Dimethylnonyl)-2-hydroxyphenyl]-cyclohexanol)	5-(1,1-Dimethylnonyl)-2-[(1*RS,*3*SR*)-3-hydroxycyclohexyl]-phenol
--	**Cannabis** (marijuana, plants and parts of plants belonging to the Cannabis species)	--

- if they are used to make preparations for medical purposes -

Cetobemidone	Ketobemidone	1-[4-(3-Hydroxyphenyl)-1-methyl-4-piperidyl]propan-1-one

INN or trivial names	**Other unprotected names (IUPAC)**	**Chemical Names**
--	***d*-Cocaine**	Methyl[3*ß*-(benzoyloxy)tropan-2*α*-carboxylate]
Cyclobarbitone	--	5-(Cyclohex-1-en-1-yl)-5-ethylpyrimidin-2,4,6(1*H,*3*H,*5*H*)- trion
--	**Dextromethadone**	(*S*)-6-Dimethylamino-4,4-diphenyl-heptan-3-one
Dextromoramide	--	(*S*)-3-Methyl-4-morpholino-2,2-diphenyl-1-(pyrrolidin-1-yl)butan-1-on
Dextropropoxyphene	--	[(2*S*,3*R*)-4-Dimethylamino-3-methyl-1,2-diphenylbutan-2-yl)propionate
--	**Diamorphine**	[(5*R*,6*S*)-4,5-Epoxy-17-methylmorphine-7-en-3,6-diyl]diacetate

- if it is used to produce preparations for medical purposes -

Difenoxine	--	1-(3-Cyan-3,3-diphenylpropyl)-4-phenyl-piperidin-4-carbonacid

- except in preparations which, without another substance of annexes I to III, contain up to 0.5 mg difenoxine per portion computed as a base and, related to this quantity, at least 0.5 percent atropinsulphate -

--	**Dihydromorphine**	4,5α-Epoxy-17-methylmorphinan-3,6α-diol
--	Dihydrothebaine	4,5α-Epoxy-3,6-dimethoxy-17-methyl-morphin-6-ene
Diphenoxylate	--	Ethyl[1-(3-cyan-3,3-diphenylpropyl)-4-

		phenylpiperidin-4-carboxylate]

-except in preparations which, without another substance of annexes I to III, contain up to 0.25 percent or up to 2.5 mg diphenoxylate per portion, computed as a base and, related to these quantities, at least 1 percent atropinsulphate -

--	**Ecgonine**	3*ß*-Hydroxytropan-2*ß*-carboxylic acid
--	**Erythroxylum coca** (plants and parts of plants belonging to the plant species Erythroxylum coca – including the varieties bolivianum, spruceanum and novogranatense)	--
--	Ethcathinone	(*RS*)-2-(Ethylamino)-1-phenylpropan-1-one
Ethchlorvynol	--	1-Chlor-3-ethylpent-1-en-4-in-3-ol
Ethinamate	--	(1-Ethinylcyclohexyl)carbamate

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
--	**3-*O*-Ethylmorphine** (Ethylmorphine)	4,5α-Epoxy-3-ethoxy-17-methyl-morphin-7-en-6α-ol

- except in preparations which, without another substance of annexes I to III contain up to 2.5 percent or up to 100 mg ethylmorphine per portion computed as a base -

Etilamfetamine	*N*-Ethylamphetamine	(Ethyl)(1-phenylpropane-2-yl)azane
Fencamfamine	--	N-Ethyl-3-phenylbicyclo[2.2.1] heptan-2-amine
--	Flephedrone (4-Fluoromethcathinone, 4-FMC)	1-(4-Fluorophenyl)-2-(methylamino) propan-1-one
--	4-Fluoromethamfetamine (4-FMA)	1-(4-Fluorophenyl)-N-methylpropan-2-amine
--	p-Fluorophenylpiperazine	1-(4-Fluorophenyl)piperazine (p-FPP)
--	4-Fluorotropacocaine	3-(4-Fluorobenzoyloxy)tropane
Glutethimide	--	3-Ethyl-3-phenylpiperidin-2,6-dione
--	**Isocodeine**	4,5α-Epoxy-3-methoxy-17-methylmorphine-7-en-6ß-ol
Isomethadone	--	6-Dimethylamino-5-methyl-4,4-diphenyl-hexan-3-one
--	JWH-007	(2-Methyl-1-pentyl-1*H*-indol-3-yl) (naphtalene-1-yl)methanone
--	JWH-015	(2-Methyl-1-propyl-1*H*-indol-3-yl) (naphtalene-1-yl)methanone

--	JWH-018, 1-Pentyl-3-(1-naphthoyl)indole	(Naphtalene-1-yl)(1-pentyl-1*H*-indol-3-yl)methanone
--	JWH-019, 1-Hexyl-3-(1-naphthoyl)indole	(Naphtalene-1-yl)(1-hexyl-1*H*-indol-3-yl)methanone
--	JWH-073, 1-Butyl-3-(1-naphthoyl)indole	(Naphtalene-1-yl)(1-butyl-1*H*-indol-3-yl)methanone
--	JWH-081	(4-Methoxynaphtalene-1-yl)(1-pentyl-1*H*-indol-3-yl)methanone
--	JWH-122	(4-Methylnaphtalene-1-yl)(1-pentyl-1*H*-indol-3-yl)methanone
--	JWH-200	[1-(2-Morpholinoethyl)-1*H*-indol-3-yl](naphtalene-1-yl)methanone

INN or trivial names	**Other unprotected names (IUPAC)**	**Chemical Names**
--	JWH-203	2-(2-Chlorphenyl)-1-(1-pentyl-1*H*-indol-3-yl)ethanone
--	JWH-210	(4-Ethylnaphtalene-1-yl)-(1-pentyl-1*H*-indol-3-yl)methanone
--	JWH-250 (1-Pentyl-3-(2-methoxy-phenylacetyl)indole)	2-(2-Methoxyphenyl)-1-(1-pentyl-1*H*-indol-3-yl)ethanone
--	JWH-251	2-(2-Methylphenyl)-1-(1-pentyl-1*H*-indol-3-yl)ethanone
Levamfetamine	Levamphetamine	(*R*)-1-Phenylpropan-2-ylazane
--	Levmetamfetamine (Levometamfetamine)	(*R*)-(Methyl)(1-phenylpropan-2-yl)azane
Levomoramide	--	(*R*)-3-Methyl-4-morpholino-2, 2-diphenyl-1-(pyrrolidin-1-yl)butan-1-one
Levorphanol	--	(9*R*, 13*R*, 14*R*)-17-Methylmorphinan-3-ol
Mazindol	--	5-(4-Chlorphenyl)-2;5-dihydro-3*H*-imidazol[2,1-a]isoindol-5-ol
Mefenorex	--	3-Chlor-N-(1-phenylpropan-2-yl) propan-1-amine
Meprobamate	--	(2-Methyl-2-propylpropan-1,3-diyl) dicarbamate
Mesocarb	--	(Phenylcarbamoyl)[3-(1-phenyl-propan-2-yl)-1,2,3-oxadiazol-3-ium-5-yl]azanide
Metamfetamine	Methamphetamine	(2*S*)-*N*-Methyl-1-phenylpropan-2-amine
Methaqualone	--	2-Methyl-3-(2-Methylphenyl) chinazolin-4

		(3*H*)-one
--	Methedrone (4-Methoxymethcathinone, PMMC)	1-(4-Methoxyphenyl)-2-(methylamino)propan-1-one
--	p-Methoxyethylamfetamine (PMEA)	N-Ethyl-1-(4-methoxyphenyl) propan-2-amine
--	4-Methylamfetamine	1-(4-Methylphenyl)propan-2-amine
--	Methylbenzylpiperazine (MBZP)	1-Benzyl-4-methylpiperazine
--	3,4-Methylendioxypyrovalerone (MDPV)	1-(Benzo[d][1,3]dioxol-5-yl)-2-(pyrrolidin-1-yl)pentan-1-one

INN or trivial names	**Other unprotected names (IUPAC)**	**Chemical Names**
--	4-Methylethcathinone (4-MEC)	2-(Ethylamino)-1-(4-methylphenyl) propan-1-one
--	Methylone (3,4 Methylendioxy-N-methcathinone, (MDMC)	1-(Bezon[d][1,3]dioxol-5-yl)-2-(methylamino)propan-1-one
Methyprylone	--	3,3-Diethyl-5-methylpiperidin-2,4-dione
--	Oripavine	4,5α-Epoxy-6-methoxy-17-methylmorphina-6,8-dien-3-ol
(*RS*)-Metamfetamine	Metamfetaminracemate	(*RS*)-(Methyl)(1-phenylpropane-2-yl)azane
--	Methadone-intermediate product (Premethadone)	4-Dimethylamino-2,2-diphenylpentannitrile
(*RS;SR*)-Methylphenidate	--	--
--	**Unprocessed Opium** (The material resulting from the processing of plants and parts of plants of the kind paver somniferum for the concentration of alkaloids)	--
--	Moramid-Intermediate Product (Premoramide)	3-Methyl-4-morpholino-2, 2-diphenyl butane acid
--	Naphyrone (Naphthylpyrovalerone)	1-(Naphthalene-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one
Nicocodine	6-Nicotinoylcodeine	(4,5α-Epoxy-3-methoxy-17-methyl-morhin-7-en-6α-yl)nicotinate
Nicodicodine	6-Nicotinoyldihydrocodeine morphinan-6α-yl)nicotinate	(4,5α-Epoxy-3-methoxy-17-methyl-
--	**Papaver bracteatum** (Plants and parts of plants belonging	--

	to the kind of papaver bracteatum, except their seeds)	

- except if they serve ornamental purposes –

--	Pethidine-Intermediate Product A (Prepethidine)	1-Methyl-4-phenylpiperidin-4-carbonitrile

INN or trivial names	**Other unprotected names (IUPAC)**	**Chemical Names**
--	Pethidine-Intermediate Product B (Norpethidine)	Ethyl(4-phenylpiperidin-4-carboxylate)
--	Pethidine-Intermediate Product C	1-Methyl-4-phenylpiperidin-4-carboxylic acid Pethidine acid)
Oxymorphone	14-Hydroxydihydro-morphinone	4,5α-Epoxy-3,14-dihydroxy-17-methylmorphinan-6-one
Phendimetrazine	--	(2*S*,3*S)*-3,4-Dimethyl-2-phenylmorpholine
Phenmetrazine	--	3-Methyl-2-phenylmorpholine
Pholcodine	Morpholinylethylmorphine ethoxy)morphin-7-en-6α-ol	4,5α-Epoxy-17-methyl-3-(2-morpholino-

- except in preparations which, without another substance of annexes I to III, as a solution contain up to 0.15 percent, however, not more than 150 mg per packaged unit, or up to 20 mg pholcodine per portion, computed as a base -

Propiram	--	*N*-(1-Piperidinopropane-2-yl)-N-(2-pyridyl) propanamide
Pyrovaleron	--	2-(Pyrrolidin-1-yl)-1-(*p*-tolyl)pentan-1-one
Racemoramide	--	(*RS*)-3-Methyl-4-morpholino-2,2-di-phenyl-1-(pyrrolidin-1-yl)butan-1-one
Racemorphan	--	(9*RS*,13*RS*,14*RS*)-17-Methylmorphinan-3-ol
--	RCS-4	(4-Methoxyphenyl)(1-pentyl-1-*H*-indol-3-yl)methanone
--	**Δ 9-Tetrahydrocannabinol** (Δ 9-THC)	6,6,9-Trimethyl-3-pentyl-6a,7,8,10a-tetra-hydro-6*H*-benzo[*c*]chromen-1-ol
--	**Tetrahydrothebaine**	4,5α-Epoxy-3, 6-dimethoxy-17-methyl-morphinane
Secbutabarbitone	Butabarbital	5-(Butan-2-yl)-5-ethylpyrimidin-2,4,6(1*H,3H,5H*)-trion
Thebacon	Acetyldihydrocodeinone	(4,5α-Epoxy-3-methoxy-17-methyl-morphin-6-en-6-yl)acetate
--	**Thebaine**	4,5α-Epoxy-3,6-dimethoxy-17-methyl-

		morphina-6,8-dien
***cis*-Tilidine**	--	Ethyl[(1*RS*,2*RS*)-2-dimethylamino-1-phenylcyclohex-3-encarboxylate]
--	3-Trifluormethylphenylpiperazine (TFMPP)	1-[3-(Trifluormethyl)phenyl] piperazine

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Vinylbital	--	5-Ethenyl-5-(pentan-2-yl) pyrimidin-2,4,6(1*H*,3*H*,5*H*)-trion
Zipeprol	--	1-Methoxy-3-[4-(2-methoxy-2-phenyl-ethyl)piperazin-1-yl]-1-phenylpropan-2-ol

- The esters, ethers, and molecule combinations of the substances listed in this annex, as well as the esters and ethers of the substances listed in Annex III, with the exception of γ-hydroxybutyric acid (GHB), unless they are listed in another annex, and the existence of such esters, ethers, and molecule combinations is possible;

- The salts of the substances listed in this annex, if the existence of such salts is possible, as well as the salts and molecule combinations of the substances listed in Annex III if the existence of such salts and molecule combinations is possible and they are not applied by physicians, dentists or veterinarians;

- The preparations of the substances listed in this annex unless:

(a) Without being used in humans or animals, they exclusively serve diagnostic or analytic purposes and their contents of one or several narcotics, in case of lyophilisates and mixtures of substances to be used accordingly in a ready-for-use solution, does not exceed 0.01 percent each, or the substances in the preparations are isotope-modified, or

(b) They are specifically exempted.

ANNEX III

(Narcotics that may be put into trade and can be prescribed)

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Alfentanil	--	*N*-{1-[2-(4-Ethyl-5-oxo-4,5-dihydro-1*H*-tetrazol-1-yl)ethyl]-4-methoxymethyl-4-piperidyl}-*N*-phenylpropanamide
Allobarbitone	--	5,5-Diallylbarbituric acid
Alprazolam	--	8-Chlor-1-methyl-6-phenyl-4*H*-[1,2,4] triazolo[4,3-a][1,4]benzodiazepine

- except in preparations which, without a further substance of annexes I through III, contain up to 1 mg alprazolam per portion –

Amfepramone	Diethylpropione	2-Diethylamino-1-phenylpropan-1-one

- except in preparations without retarded drug release, which without a further substance of annexes I through III, contain up to 22 mg amfepramone per portion, and in preparations with retarded drug release, which without a further substance of annexes I through III contain up to 64 mg amfepramone per portion, computed as a base -

Amfetamine	Amphetamine	(*RS*)-1-Phenylpropan-2-ylazane
Amobarbital	--	5-Ethyl-5-isopentylbarbituric acid
Barbitone	-	5,5-Diethylbarbituric acid

- except in preparations which:

a) without a further substance of annexes I through III contain up to 10 percent barbital, or

b) without being used in humans or animals, exclusively serve diagnostic or analytic purposes and, without a further substance of annexes I through III, do not contain more than 25 g barbital per packaged unit, computed as an acid –

Bromazepam	--	7-Brom-5-(2-pyridyl)-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annexes I through III contain up to 6 mg bromazepam per portion

Brotizolam	--	2-Brom-4-(2-chlorphenyl)-9-methyl-6*H*-thieno[3,2-*f*][1,2,4]triazolo[4,3-*a*][1,4] diazepine

- except in preparations which, without a further substance of annexes I through III, contain up to 0.02 percent or up to 0.25 mg brotizolam per portion -

Buprenorphine	--	(5*R*,6*R*,7*R*,14*S*)-17-Cyclopropylmethyl-4,5-epoxy-7-[(*S*)-2-hydroxy-3,3-dimethyl-butan-2-yl]-6-methoxy-6,14-ethano-morphinan-3-ol

INN or trivial names	**Other unprotected names (IUPAC)**	**Chemical Names**
Camazepam	--	(7-Chlor-1-methyl-2-oxo-5-phenyl-2,3-dihydro-1*H*-1,4-benzodiazepin-3-yl)(dimethylcarbamate)
--	**Cannabis** (marijuana, plants and parts of plants belonging to the Cannabis species)	--

- only in preparations licensed as finished medical drugs -

Cathin	(+)-Norpseudoephedrine (D-Norpseudoephedrine)	(1*S*,2*S*)-2-Amino-1-phenylpropan-1-ol

- except in preparations which, without a further substance of annexes I through III, contain up to 5 percent cathin as solution, however, not more than 1,600 mg per packaged unit or up to 40 mg per portion, computed as a base –

Chlordiazepoxide	--	7-Chlor-2-methylamino-5-phenyl-3*H*-1,4-benzodiazepin-4-oxide

- except in preparations which, without a further substance of annexes I through III, contain up to 25 mg chlordiazepoxide per portion –

Clobazam	--	7-Chlor-1-methyl-5-phenyl-1,3-dihydro-2*H*-1,5-benzodiazepin-2,4(5*H*)-dione

- except in preparations which, without a further substance of annexes I through III, contain up to 30 mg clobazam per portion –

Clonazepam		5-(2-Chlorphenyl)-7-nitro-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 0.25 percent as drop solution, however, not more than 250 mg per packaged unit or up to 2 mg clonazepam per portion –

Clorazepate		(*RS*)-7-Chlor-2-oxo-5-phenyl-2,3-dihydro-1*H*-1,4-benzodiazepine-3-carbonic acid

- except in preparations which, without a further substance of annexes I through III, contain up to 50 mg per portion, as dry substance only for parenteral application up to 100 mg clorazepate as di-potassium salt –

Clotiazepam	--	5-(2-Chlorphenyl)-7-ethyl-1-methyl-1,3-dihydro-2*H*-thieno[2,3-*e*][1,4]diazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 20 mg clotiazepam per portion

Cloxazolam	--	10-Chlor-11b-(2-chlorphenyl)-2,3,7,11b-tetrahydro[1,3]oxazolo[3,2-*d*][1,4]benzo-diazepin-6(5*H*)-one
--	**Cocaine**	Methyl[3*β*-(benzoyloxy)tropan-2*β*-(Benzoylecgoninmethylester) carboxylate]

INN or trivial names	**Other unprotected names (IUPAC)**	**Chemical Names**
--	**Codeine**	4,5α-Epoxy-3-methoxy-17-methyl-(3-Methylmorphine) morphin-7-en-6α-ol

- except in preparations which, without a further substance of annexes I through III, contain up to 2.5 percent or 100 mg codeine per portion, computed as a base. For exempt preparations which are prescribed for people addicted to drugs or alcohol, however, the regulations on prescribtion and sale of narcotics apply. -

Dexamfetamine	Dexamphetamine	(*S*)-1-Phenylpropan-2-ylazane
Dexmethylphenidate	--	Methyl[(R,R)(phenyl)(2-piperidyl)acetate]
--	**Diamorphine**	[(5*R*,6*S*0-4,5-Epoxy-17-methylmorphin-7-en-3,6 diyl]diacetate

- only in preparations licensed for replacement treatment -

Delorazepam	--	7-Chlor-5-(2-chlorphenyl)-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one
Diazepam	--	7-Chlor-1-methyl-5-phenyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annex I through III, contain up to 1 percent as syrup or drop solution, however, not more than 250 mg per packaged unit, or up to 10 mg diazepam per portion –

Dihydrocodeine	--	4,5α-Epoxy-3-methoxy-17-methyl-morphinan-6α-ole

- except in preparations which, without a further substance of annexes I through III, contain up to 2.5 percent or 100 mg dihydrocodeine per portion, computed as a base. For exempt preparations which are prescribed for people addicted to drugs or alcohol, however, the regulations on prescribtion and sale of narcotics apply. -

Dronabinol	--	(6a*R*,10a*R*)-6,6,9-Trimethyl-3-pentyl-6a,7,8,10a-tetrahydro-6*H*-benzo[*c*] chromen-1-ole
Estazolam	--	8-Chlor-6-phenyl-4*H*-[1,2,4]triazolo [4,3-*a*]benzodiazepine

- except in preparations which, without a further substance of annexes I through III, contain up to 2 mg estazolam per portion -

Ethylloflazepate	--	Ethyl[7-chlor-5-(2-fluorphenyl)-2-oxo-2,3-dihydro-1*H*-1,4-benzodiazepin-3-carboxylate]
Etorphine	--	5*R*,6*R*,7*R*,14*R*)-4,5-Epoxy-7-[(*R*)-2-hydroxypentan-2-yl]-6-methoxy-17-methyl-6,14-ethenomorphinan-3-ole
Fenetylline	--	1,3-Dimethyl-7-[2-(1-phenylpropan-2-ylamino)ethyl]-3,7-dihydro-2*H*-purin-2,6(1*H*)-dione

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Fenproporex	--	(*RS*)-3-(1-Phenylpropan-2-ylamino) propannitrile

- except in preparations which, without a further substance of annexes I through III, contain up to 11 mg fenproporex per portion, computed as a base -

Fentanyl	--	*N*-(1-Phenethyl-4-piperidyl)-*N*-phenyl-propanamide
Fludiazepam	--	7-Chlor-5-(2-fluorphenyl)-1-methyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one
Flunitrazepam	--	5-(2-Fluorphenyl)-1-methyl-7-nitro-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one
Flurazepam	--	7-Chlor-1-(2-diethylaminoethyl)-5-(2-fluorphenyl)-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 30 mg flurazepam per portion

Halzepam	--	7-Chlor-5-phenyl-1-(2,2,2-trifluorethyl)-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 120 mg halazepam per portion

Haloxazolam	--	10-Brom-11b-(2-fluorphenyl)-2,3,7,11b-tetrahydro [1,3]oxazolo[3,2-*d*][1,4]benzo-diazepin-6(5*H*)-one

Hydrocodone	Dihydrocodeinone morphinan-6-one	4,5α-Epoxy-3-methoxy-17-methyl-
Hydromorphone	Dihydromorphinone	4,5α-Epoxy-3-hydroxy-17-methyl- morphinan-6-one
--	γ-Hydroxybutyric acid (GHB)	4-Hydroxybutanic acid

- except in preparations for injection, which, without a further substance of annexes I through III, contain up to 20 percent γ-hydroxybutyric acid and per portion up to 2 g γ-hydrobutyric acid, computed as acid -

Ketazolam	--	11-Chlor-2,8-dimethyl-12b-phenyl-8-12b dihydro-4*H*-[1,3]oxazino[3,2-*d*][1,4]benzo-diazepin-4,7(6*H*)-dione

- except in preparations which, without a further substance of annexes I through III, contain up to 45 mg ketazolam per portion -

INN or trivial names	**Other unprotected names (IUPAC)**	**Chemical Names**
Levacetylmethadol	Levomethadylacetate (LAAM)	[(3*S*,6*S*)-Dimethylamino-4,4-diphenyl heptan-3-yl]acetate
Levomethadone	--	(*R*)-6-Dimethylamino-4,4-diphenyl-heptan-3-one
Loprazolam	--	6-(2-Chlorphenyl)-2-[(*Z*)-4-methyl-piperazin-1-ylmethylen]-8-nitro-2,4-dihydro-1*H*-imidazo [1,2-*a*][1,4]benzo- diazepin-1-one

- except in preparations which, without a further substance of annexes I through III, contain up to 2.5 mg loprazolam per portion

Lorazepam	--	(*RS*)-7-Chlor-5-(2-chlorphenyl)-3-hydroxy-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 2.5 mg lorazepam per portion -

Lormetazepam	--	7-Chlor-5-(2-chlorphenyl)-3-hydroxy-1-methyl-1,3-dihydro-2*H*-1,4-benzo-diazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 2 mg lormetazepam per portion -

Medazepam	--	7-Chlor-1-methyl-5-phenyl-2,3-dihydro-1*H*-1,4-benzodiazepine

- except in preparations which, without a further substance of annexes I through III, contain up to 10 mg medazepam per portion

Methadone	--	(*RS*)-6-Dimethylamino-4,4-diphenyl-heptan-3-one
Methylphenidate	--	Methyl[(*RS;RS*)(phenyl)(2-piperidyl)acetate]
Methylphenobarbital	Mephobarbital	(*RS*)-5-Ethyl-1-methyl-5-phenylbarbituric acid

- except in preparations which, without a further substance of annexes I through III, contain up to 200 mg methylphenobarbital per portion, computed as an acid -

Midazolam	--	8-Chlor-6-(2-fluorphenyl)-1-methyl-4*H*-imidazo[1,5-*a*][1,4]benzodiazepine

- except in preparations which, without a further substance of annexes I through III, contain up to 0.2 percent or up to 15 mg midazolam per portion -

--	**Morphine**	(*5R,*6*S*)-4,5-Epoxy-17-methylmorphin 7-en-3,6-diole
Nabilone	--	(6a*RS*,10a*RS*)-1-Hydroxy-6,6-dimethyl-3-(2-methyloctan-2-yl)-6,6a,7,8,10,10a-hexahydro-9*H*-benzo[*c*]chromen-9-one

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Nimetazepam	--	1-Methyl-7-nitro-5-phenyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one
Nitrazepam	--	7-Nitro-5-phenyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

-except in preparations which, without a further substance of annexes I through III, contain up to 0.5 percent nitrazepam as drop solution, however, not more than 250 mg per packaged unit, or up to 10 mg nitrazepam per portion –

Nordazepam	--	7-Chlor-5-phenyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

-except in preparations which, without a further substance of annexes 1 through III, contain up to 0.5 percent nordazepam as drop solution, however, not more than 150 mg per packaged unit, or up to 15 mg nordazepam per portion –

Normethadone	--	6-Dimethylamino-4,4-diphenylhexan-3-one
--	**Opium** (The coagulated sap of the plants belonging to the kind papaver somniferum)	--

- except in preparations which are processed according to a procedure described in the homoeopathic part of the pharmacopoeia, if the final concentration does not exceed the 6th decimal potency –

Oxazepam	--	7-Chlor-3-hydroxy-5-phenyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 50 mg oxazepam per portion -

Oxazolam	--	(2*RS*,11b*SR*)-10-Chlor-2-methyl-11b-phenyl-2,3,7,11b-tetrahydro[1,3] oxazolo[3,2-*d*][1,4]benzodiazepine-6(5*H*)-one

- except in preparations which, without a further substance of annexes I through III, contain up to 20 mg oxazolam per portion -

Oxycodone	14-Hydroxydihydrocodeinone	4,5α-Epoxy-14-hydroxy-3-methoxy-17-methylmorphinan-6-one

--	**Papaver somniferum** (plants and parts of plants, except the seeds, belonging to the kind Papaver somniferum (including the subspecies setigerum))	--

- except if trading them (excluding the growing) serves ornamental purposes and in a dried condition their morphine contents does not exceed 0.02 percent; in such a case the narcotic law provisions only apply to the import, export and transit –

- except in preparations which are processed according to a procedure described in the homoeopathic part of the pharmacopoeia, if the final concentration does not exceed the 4th decimal potency –

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names

- except in preparations which, without a further substance of annexes I to III, contain up to 0,015 percent morphine, computed as a base, and which are composed of one or more other components in such a way that the narcotic cannot be reextracted by easily implemented procedures or to an extent which is a hazard to public health –

Pemoline	--	2-Imino-5-phenyl-1,3-oxazolidin-4-one

- except in preparations which, without a further substance of annexes I through III, contain up to 20 mg pemoline per portion, computed as a base -

Pentazocine	--	(2*R*,6*R*,11*R*)-6,11-Dimethyl-3-(3-methyl-but-2-en-1-yl)-1,2,3,4,5,6-hexahydro-2,6-methano-3-benzazocin-8-ol
Pentobarbital	--	(*RS*)-5-Ethyl-5-(pentan-2-yl)barbituric acid
Pethidine	--	Ethyl(1-methyl-4-phenylpiperidin-4-carboxylate)
Phenobarbital	--	5-Ethyl-5-phenylbarbituric acid

- except in preparations which, without a further substance of annexes I through III, contain up to 10 percent or 300 mg phenobarbital per portion, computed as an acid -

Phentermine	--	2-Benzylpropan-2-ylazane

- except in preparations which, without a further substance of annexes I through III, contain up to 15 mg phentermine per portion, computed as a base -

Pinazepam	--	7-Chlor-5-phenyl-1-(prop-2-in-1-yl)-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one
Pipradol	--	Diphenyl(2-piperidyl)methanol
Piritramide	--	1'-(3-Cyan-3,3-diphenylpropyl)[1,4'-bipiperidin]-4'-carboxamide
Prazepam	--	7-Chlor-1-cyclopropylmethyl-5-phenyl-1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 20 mg prazepam per portion -

Remifentanil	--	Methyl{3-[4-methoxycarbonyl-4-(*N*-phenyl-propanamido)piperidino]propanoate}
Secobarbital	--	5-Allyl-5-(pentan-2-yl)barbituric acid

Sufentanil	--	*N*-{4-Methoxymethyl-1-[2-(2-thienyl) ethyl]-4-piperidyl}-*N*-phenylpropanamide
Tapentadol	--	3-[(2*R,*3*R*)-1-Dimethylamino-2-methylpentan-3-yl]phenol
Temazepam	--	(*RS*)-7-Chlor-3-hydroxy-1-methyl-5-phenyl-1,3-dihydro-2*H*-1,4-benzodia-zepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 20 mg temazepam per portion

INN or trivial names	Other unprotected names (IUPAC)	Chemical Names
Tetrazepam	--	7-Chlor-5-(cyclohex-1-enyl)-1-methyl 1,3-dihydro-2*H*-1,4-benzodiazepin-2-one

- except in preparations which, without a further substance of annexes I through III, contain up to 100 mg tetrazepam per portion

Tilidine	*trans*-Tilidine	Ethyl[(1*RS,*2*SR*)-2-dimethylamino-1-phenylcyclohex-3-encarboxylate]

- except in preparations which, without a further substance of annexes I through III, contain up to 7 percent tilidine or up to 300 mg tilidine per portion, computed as a base, and in reference to these quantities, at least 7.5 percent naloxonhydrochloride -

Triazolam	--	8-Chlor-6-(2-chlorphenyl)-1-methyl-4*H*-[1,2,4]triazolo[4,3-*a*][1,4]benzodiazepine

- except in preparations which, without a further substance of annexes I through III, contain up to 0.25 mg triazolam per portion

Zolpidem	--	*N,N*-Dimethyl-2-[6-methyl-2-(p-tolyl)imidazo[1,2-a]pyri-din-3-yl]acetamide

- except in preparations for oral administration, which, without a further substance of the annexes I through III, contain up to 8.5 mg zolpidem, calculated as a base –

- The salts and molecule combinations of the substances listed in this annex, if they are used by physicians, dentists, or veterinarians in accordance with medical science;

- The preparations of the substances listed in this annex unless:

(a) Without being used in humans or animals, they serve exclusively diagnostic or analytic purposes and their contents of one or several narcotics, in case of lyophilisates and of substance mixtures to be used correspondingly in the ready-for-use solution, does not exceed .001 percent each, or the substances in the preparations are isotope-modified, or

(b) They are specifically exempted. However, for exempt preparations – except such with codeine or dihydrocodeine – the narcotic law provisions on import, export and transit apply. Exempt preparations according to letter b of the item Barbital may, however, be imported, exported or transited without permit pursuant to section 11of the Narcotics Law if, according to the circumstances, there is no risk of abuse.