

Attorney General, Pharmacy Board Announce Rule to Permanently Ban New Synthetic Drugs Now In Effect

New Emergency Scheduling Legislation in Development

(COLUMBUS, Ohio) -- Ohio Attorney General Mike DeWine and Ohio State Board of Pharmacy Executive Director Kyle Parker announced today that an administrative rule developed to permanently ban two new chemicals being abused as synthetic drugs is now in effect.

The rule classifies the chemical compounds known as PB-22 and 5F-PB-22 as Schedule I controlled substances, which makes the sale and use of the compounds illegal under Ohio law. The U.S. Drug Enforcement Administration temporarily scheduled the compounds as illegal drugs in February, however the state ban is permanent. The state ban also bans the use and sale of any compound with the same basic chemical structure, even if the compounds have not yet been created.

"Anyone found selling or purchasing these compounds in Ohio is breaking the law, and you will face the consequences," said Attorney General DeWine. "Drugs, whether they are synthetic drugs or street drugs like heroin, are wreaking havoc on Ohio families. This is just one example of the ongoing efforts by my office to prevent further devastation due to drug abuse."

"These substances pose a serious threat to public safety and have no medicinal value," said Ohio State Board of Pharmacy Executive Director Parker. "The Ohio State Board of Pharmacy is proud that these new rules will put Ohio at the forefront of the fight against synthetic drugs."

PB-22 and 5F-PB-22 began surfacing in the Ohio Attorney General's Bureau of Criminal Investigation (BCI) Laboratory in the first five months of 2013. The emergence of the drugs directly followed the passage of House Bill 334 in December 2012, which banned all synthetic drugs that existed at the time. Under Ohio law, the Ohio State Board of Pharmacy has the authority to classify compounds as controlled substances through the administrative rule process if the substances have a high potential for abuse. The process eliminates the need to go through the General Assembly each time a new synthetic drug is created.

The chemicals, which are often sprayed on plant material in order to mimic the effects of marijuana, are typically sold in head shops in small, brightly colored packets and marketed as herbal incense products.

"We are grateful for the help of the Ohio State Board of Pharmacy and their willingness to partner with us in the goal to permanently ban newly created synthetic drugs," said Attorney General DeWine. "The standard process for banning these substances, however, takes far too long, which is why we are asking the legislature to give the Attorney General's Office emergency authority to ban new synthetic drugs as soon as new chemicals of concern come into our lab."

Attorney General DeWine has been working with State Representative Robert Sprague (R-Findlay) on developing the legislation, which would give the Ohio Attorney General temporary emergency scheduling authority for any compound believed to be an imminent hazard to public safety. The emergency bans would last for at least one year, allowing the administrative rule process or legislative process to proceed at its standard pace to determine if the ban should be made permanent.

Documented symptoms of synthetic drug use include agitation, paranoia, confusion, violence, convulsions, unconsciousness, lethargy, nervousness, erratic behavior, driving as if intoxicated, inability to stand, and slurred speech.

Attorney General DeWine has made the fight against synthetic drugs a priority in Ohio, filing multiple consumer protection lawsuits against business owners selling the drugs as legal products. The lawsuits have resulted in multiple business owners being ordered to pay a combined total of \$45,000 in fines to be used for the prevention and investigation of synthetic drug use in the state. Attorney General DeWine has also filed nuisance abatement action against multiple businesses, resulting in the temporary closure of several stores. The Attorney General's Bureau of Criminal Investigation and Special Prosecutions Section have also been actively involved in multiple synthetic drug criminal cases statewide.