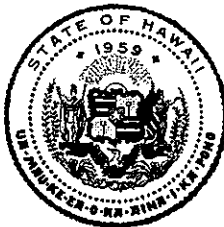


NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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No. _____

TESTIMONY ON HOUSE BILL 2600 HD1
A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES

Jodie F. Maesaka-Hirata, Director
Department of Public Safety

House Committee on Finance
Representative Marcus R. Oshiro, Chair
Representative Marilyn B. Lee, Vice Chair

Thursday, February 23, 2012, 11:00 AM
State Capitol, Conference Room 308

Chair Oshiro, Vice Chair Lee, and Members of the Committee:

The Department of Public Safety (PSD) supports House Bill (HB) 2600 HD1, this measure updates Hawaii's Uniform Controlled Substance Act Chapter 329, Hawaii Revised Statutes to be consistent with changes in Federal law as required by Section 329-11 HRS.

There is a growing problem with synthetic hallucinogenic substances being developed for sale to the public as "herbal incense" or "bath salts" in the State and around the county. The Department's Narcotics Enforcement Division (NED) as well as the United States Drug Enforcement Administration (DEA) has attempted to protect the public by placing in the schedule the ever-increasing number of synthetic cannabinoids and cathinones labeled as "not for human consumption" but sold in retail shops with the promise of powerful hallucinogenic "legal" highs.

On March 1, 2011, the DEA applied its emergency scheduling authority to temporarily control five chemicals (JWH-018, JWH-073, JWH-200, CP-47,497, and cannabicyclohexanol) used to make "fake pot" products. Except as authorized by law, this action will make possessing and selling these chemicals or the products that contain them illegal in the United States for at least one year, while the DEA and the United States Department of Health and Human Services (DHHS) further study whether these chemicals and products should be permanently controlled.

On June 1, 2011 Governor Neil Abercrombie signed into law Act 73, this placed the five synthetic cannabinoids (JWH-018, JWH-073, JWH-200, CP-47,497, and cannabicyclohexanol) as well as two synthetic stimulants classified as cathiones Mephedrone, also known as 4-methylmethcathinone (4-MMC), or 4-methylephedrone and Methylenedioxypropylvalerone (MDPV) as Schedule I controlled substances.

There are other synthetic Cathiones which were not included in the schedule, such as:

- 3,4-methylenedioxypropylvalerone
- 4-fluoromethcathinone
- 3-fluoromethcathinone
- 4-methylethcathinone
- 3,4-dimethylmethcathinone
- α -methylamino-butylphenone
- β -keto-ethylbenzodioxolylbutylamine
- 3,4-methylenedioxy-N-ethylcathinone
- 4-methoxymethcathinone
- α -pyrrolidinopropylphenone
- 3,4-methylenedioxypropylmethcathinone
- α -pyrrolidinopentylphenone
- β -keto-N-methylbenzodioxolylpropylamine

naphthylpyrovalerone
4'-methyl- α -pyrrolidinopropiophenone
 β -keto-methylbenzodioxolylpentanamine
4'-methyl- α -pyrrolidinohexanophenone
4'-methyl- α -pyrrolidinobutyrophenone
 α -phthalimidopropiophenone,
N-ethylcathinone
4'-methyl- α -pyrrolidinohexanophenone
3,4-methylenedioxy-pyrrolidinobutyrophenone

The following synthetic cannabinoids were also not included in the schedule:

JWH-250	JWH-307	RCS-4 (C4)
JWH-203	JWH-133	RCS-8
JWH-122	WIN-55,212-2	AM 2201
JWH-019	Pravadoline	AM-694
JWH-015	AM-1241	And many more!
JWH-251	CP 47,497 (C7)	
JWH-398	CP47,497 (C9)	
JWH-081	AM 1220	
JWH-370	RCS-4 (2-MeO)	
JWH-051	RCS-4	

There are over 100 compounds that have been identified with potencies of at least twice that of THC and that does not include numerous unpublished designer compounds.

HB 2600 HD1 incorporates a general chemical class approach intended to prevent manufacturers from simply adding an isomer on to an existing controlled substance and therefore making it a new non-controlled compound.

Thank you for the opportunity to testify on this matter.