

**Australian Government Department of Home Affairs**

DEPARTMENT OF HOME AFFAIRS NOTICE No. 2018/09

**Drugs and Drug Precursors: Changes *to Customs (Prohibited Imports) Regulations 1956* and *Customs (Prohibited Exports) Regulations 1958***

On 4 April 2018 Schedule 4 of the *Customs (Prohibited Imports) Regulations 1956* (PI Regulations) and Schedule 8 of the *Customs (Prohibited Exports) Regulations 1958* (PE Regulations) were updated to:

* ensure Australia’s continuing compliance with international treaties on narcotic drugs, including the United Nations Commission on Narcotic Drugs,
* harmonise border controls with Schedule 4 of the *Criminal Code Regulations 2002* (Border Controlled Drugs), and
* include new synthetic drugs, which may pose a risk to public health.

The details of new substances included in Schedule 4 of the PI Regulations, including border classification are provided at **Attachment A**.

The details of new substances included in Schedule 8 of the PE Regulations, including border classification are provided at **Attachment B**.

Item 35 of Schedule 4 of the PI Regulations has also been amended to update the term ‘Cannabis’ to ‘Cannabis, including extracts and tinctures of cannabis’. This clarifies that cannabis containing products are also subject to border controls.

A further amendment to the PI Regulations is the rescheduling of anabolic and androgenic substances from Schedule 8 to Schedule 7A. This amendment clarifies that anabolic and androgenic substances may be brought into Australia as part of personal baggage without special permission, provided all other traveller exemption requirements are met (see: https://[www.odc.gov.au/travellers).](http://www.odc.gov.au/travellers))

Information about the import and export of these goods is available on the Department’s website at [www.homeaffairs.gov.au.](http://www.homeaffairs.gov.au/)

[signed] Andrew Tankey

A/g Assistant Secretary Trade and Customs Branch

4 April 2018

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**Attachment A**

**List of Amendments to Schedule 4 of the**

# Customs (Prohibited Imports) Regulations 1956

**Key to Reading Attachment A:**

**BCD** – Border Controlled Drug as listed in Schedule 4 of the Criminal Code Regulations 2002.

**Analogue of BCD** – Analogue of Border Controlled Drug as per the meaning given by Section 301.9 of the *Criminal Code Act 1995* (each analogue is listed with the reference to its base substance in the Criminal Code Regulations 2002).

Any substance that has undergone a classification upgrade to Prohibited Import as the consequence of the Customs (Prohibited Imports) Regulations 1956 amendment is listed in the following table with its new classification shown in **red**.

**Attachment A List of Amendments to Schedule 4 of the *Customs (Prohibited Imports) Regulations 1956***

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| **Sch 4 New PI Item No** | **CLASSIFICATION** | ***Customs (Prohibited Imports) Regulations 1956* List Name** |
| **3A** | Analogue of BCD Fentanyl *(CCR Item 86)* | Acetylfentanyl |
| **4B** | Prohibited Import | N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-ind azole-3-carboxamide (otherwise known as 5F-APINACA) |
| **4C** | Prohibited Import | N-(1-adamantyl)-1-pentyl-1H-indazole-3- carboxamide (otherwise known as APINACA or AKB-48) and fluorinated derivatives of this substance |
| **Table Item 5A** | BCD Item 200 | 2,3,4-trimethoxyamphetamine |
| **Table Item 5A** | BCD Item 201 | 2,3,5-trimethoxyamphetamine |
| **Table Item 5A** | BCD Item 202 | 2,3,6-trimethoxyamphetamine |
| **Table Item 5A** | BCD Item 203 | 2,4,5-trimethoxyamphetamine |
| **Table Item 5A** | BCD Item 204 | 2,4,6-trimethoxyamphetamine |

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| **Sch 4 New PI Item No** | **CLASSIFICATION** | ***Customs (Prohibited Imports) Regulations 1956* List Name** |
| **Table Item 5B** | BCD Item 32A | 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-meth oxyphenyl)methyl]ethanamine (otherwise known as 25B-NBOMe) |
| **Table Item 5B** | BCD Item 38A | 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-meth oxyphenyl)methyl]ethanamine (otherwise known as 25C-NBOMe) |
| **Table Item 5B** | BCD Item 103A | 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-metho xyphenyl)methyl]ethanamine (otherwise known as 25I-NBOMe) |
| **Table Item 5B** | BCD Item 105 | 2,5-dimethoxy-4-isopropoxyphethylamine (otherwise known as 2C-O-4) |
| **Table Item 5B** | BCD Item 198 | 2,4,5-trimethoxyphenethylamine (otherwise known as 2C-O) |
| **14AA** | Prohibited Import | (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-f luorobenzyl)-1H-indazole-3-carboxamide) (otherwise known as AB-FUBINACA) |
| **14AB** | Prohibited Import | (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pe ntyl-1H-indazole-3-carboxamide) (otherwise known as AB-PINACA) |
| **14AC** | Analogue of BCD Fentanyl  *(CCR Item 86)* | 4-anilino-N-phenethylpiperidine (otherwise known as ANPP) |

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| **Sch 4 New PI Item No** | **CLASSIFICATION** | ***Customs (Prohibited Imports) Regulations 1956* List Name** |
| **19A** | BCD Item 20 | 1-(benzofuran-6-yl)propan-2-amine (otherwise known as 6 APB) |
| **32C** | Analogue of BCD Fentanyl *(CCR Item 86)* | Butyrfentanyl |
| **35** | BCD Item 35 | Cannabis, including extracts and tinctures of cannabis |
| **49G** | Prohibited Import | 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine) (otherwise known as MT-45) |
| **56B** | Prohibited Import | 3,4-dichloro-N-(2-dimethylamino-cyclohexyl)- N-methyl-benzamide (otherwise known as U- 47700) |
| **66C** | BCD Item 63 | 2,5-dimethoxy-4-isopropthiophenethylamine (otherwise known as 2C-T-4) |
| **66D** | BCD Item 64 | 2,5-dimethoxy-4-((β-methoxyethylthio)phenet hylamine (otherwise known as 2C-T-13) |
| **67AAA** | BCD Item 66 | 2,5-dimethoxy-4-methylphenethylamine (otherwise known as 2C-D) |
| **67AAB** | BCD Item 58 | 2,5-dimethoxy-4-(n)-butylthiophenethylamine (otherwise known as 2C-T-9) |

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| **Sch 4 New PI Item No** | **CLASSIFICATION** | ***Customs (Prohibited Imports) Regulations 1956* List Name** |
| **67AAC** | BCD Item 67 | 2,5-dimethoxy-4-nitrophenethylamine (otherwise known as 2C-N) |
| **68AAB** | Prohibited Import | 1,3-dimethylbutylamine (otherwise known as DMBA) |
| **68AC** | Prohibited Import | 1,3-dimethylamylamine (otherwise known as DMAA) |
| **80A** | Analogue of BCD Methcathinone *(CCR Item 119)* | Ethcathinone |
| **87A** | Analogue of BCD Methcathinone *(CCR Item 119)* | Ethylone |
| **87B** | Analogue of BCD Methylphenidate *(CCR Item 135)* | Ethylphenidate |
| **97AA** | BCD Item 87 | 4-fluoro-2,5-dimethoxyphenethylamine (otherwise known as 2C-F) |
| **97AB** | BCD Item 88 | 4-(2-fluoroethylthio)-2,5-dimethoxyphenethyl amine (otherwise known as 2C-T-21) |
| **97C** | Analogue of BCD JWH-018  *(CCR Item 171)* | [1-(5-fluoropentyl)-1H-indol-3-yl]-(naphthalen e-1-yl)methanone (otherwise known as  AM-2201 or JHW-2201) |

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| **Sch 4 New PI Item No** | **CLASSIFICATION** | ***Customs (Prohibited Imports) Regulations 1956* List Name** |
| **97D** | Prohibited Import | [1-(5-fluoropentyl)-1H-indol-3-yl](2,2,3,3-tetra methylcyclopropyl)methanone (otherwise known as XLR-11) |
| **138B** | Analogue of BCD Methamphetamine *(CCR Item 117)* | Methiopropamine (otherwise known as MPA) |
| **139AB** | BCD Item 124 | 4-methoxymethamphetamine |
| **139C** | Analogue of BCD  N,N-Dimethyltryptamine  *(CCR Item 73)* | 5-methoxy-N,N-dimethyltryptamine (otherwise known as 5-MEO-DMT) |
| **142A** | Prohibited Import | Methyl  N-{[1-(cyclohexylmethyl)-1H-indol-3-yl]carbo nyl}-3-methyl-L-valinate (otherwise known as MDMB-CHMICA) |
| **146C** | Analogue of BCD Methcathinone *(CCR Item 119)* | 4-methylethcathinone (otherwise known as 4-MEC) |
| **147AA** | Analogue of BCD Methcathinone *(Item 119)* | 3-methylmethcathinone (otherwise known as 3-MMC) |
| **149B** | BCD Item 139 | 4-methylthiobutylamphetamine (otherwise known as 4-MTBA) |

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| **Sch 4 New PI Item No** | **CLASSIFICATION** | ***Customs (Prohibited Imports) Regulations 1956* List Name** |
| **149C** | BCD Item 140 | 4-methylthiodimethamphetamine (otherwise known as 4-MTDMA) |
| **149D** | BCD Item 137 | 4-Methylthio-2,5-dimethoxyphenethylamine (otherwise known as 2C-T) |
| **149E** | BCD Item 141 | 4-methylthioethylamphetamine (otherwise known as 4-MTEA) |
| **150A** | BCD Item 143 | 4-methythiomethampehtamine (otherwise known as 4-MTMA) |
| **150B** | BCD Item 144 | 4-methylthiopropylamphetamine (otherwise known as 4-MTPA) |
| **150C** | BCD Item 133 | 4-methylmethamphetamine |
| **179A** | BCD Item 124 | Para-methoxymethylamphetamine (otherwise known as PMMA) |
| **179B** | Prohibited Import | Para-methoxyphenylpiperazine (otherwise known as MeOPP) |
| **179C** | Prohibited Import | para-methyl-4-methylaminorex (otherwise known as 4,4’-DMAR) |
| **182A** | Analogue of BCD Methcathinone *(CCR Item 119)* | Pentedrone |

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| **Sch 4 New PI Item No** | **CLASSIFICATION** | ***Customs (Prohibited Imports) Regulations 1956* List Name** |
| **188A** | Prohibited Import | Phenazepam |
| **215A** | Analogue of BCD Methcathinone *(CCR Item 119)* | α-pyrrolidinovalerophenone (otherwise  known as α-PVP) |
| **215B** | Prohibited Import | Quinolin-8-yl  1-(5-fluoropentyl)-1H-indole-3-carboxylate (otherwise known as 5F-PB-22) |
| **215C** | Prohibited Import | Quinolin-8-yl 1-pentyl-1H-indol-3-carboxylate (otherwise known as PB-22 or QUPIC) |

**Attachment B**

**List of Amendments to Schedule 8 of the**

# Customs (Prohibited Exports) Regulations 1958

**Key to Reading Attachment B:**

**BCD** – Border Controlled Drug as listed in Schedule 4 of the Criminal Code Regulations 2002.

**Analogue of BCD** – Analogue of Border Controlled Drug as per the meaning given by Section 301.9 of the *Criminal Code Act 1995* (each analogue is listed with the reference to its base substance in the Criminal Code Regulations 2002).

Any substance that has undergone a classification upgrade to Prohibited Export as the consequence of the Customs (Prohibited Exports) Regulations 1958 amendment is listed in the following table with its new classification shown in **red**.

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**Attachment B List of Amendments to Schedule 8 of the *Customs (Prohibited Exports) Regulations 1958***

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| **Sch 8 New PE Item No** | **CLASSIFICATION** | ***Customs (Prohibited Exports) Regulations 1958* List Name** |
| **Part 1, 2A** | Analogue of BCD Fentanyl *(CCR Item 86)* | Acetylfentanyl |
| **Part 1, 22A** | BCD Item 32A | 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-meth oxyphenyl)methyl]ethanamine (otherwise  known as 25B-NBOMe) |
| **Part 1, 23A** | Analogue of BCD Fentanyl  *(CCR Item 86)* | Butyrfentanyl |
| **Part 1, 23B** | BCD Item 38A | 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-meth oxyphenyl)methyl]ethanamine (otherwise  known as 25C-NBOMe) |
| **Part 1, 27B** | Prohibited Export | 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (otherwise known as MT-45) |
| **Part 1, 31A** | Prohibited Export | 3,4-dichloro-N-{[1-  (dimethylamino)cyclohexyl]methyl}benzamid e (otherwise known as AH-7921) |
| **Part 1, 31B** | Prohibited Export | 3,4-dichloro-N-(2-dimethylamino-cyclohexyl)- N-methyl-benzamide (otherwise known as U-  47700) |
| **Part 1, 55A** | BCD Item 103A | 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-metho  xyphenyl)methyl]ethanamine (otherwise known as 25I-NBOMe) |
| **Part 1, 91A** | BCD Item 124 | Para-methoxymethylamphetamine (otherwise known as PMMA) |

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| **Sch 8 New PE Item No** | **CLASSIFICATION** | ***Customs (Prohibited Exports) Regulations 1958* List Name** |
| **Part 2, 1AA** | Prohibited Export | N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-ind azole-3-carboxamide) (otherwise known as  5F-APINACA) |
| **Part 2, 1B** | BCD Item 23 | Benzylpiperazine |
| **Part 2, 12AA** | Analogue of BCD Methcathinone *(CCR Item 119)* | Ethylone |
| **Part 2, 12AB** | Analogue of BCD Methylphenidate *(CCR Item 135)* | Ethylphenidate |
| **Part 2, 13AA** | Analogue of BCD JWH-018  *(CCR Item 171)* | [1-(5-fluoropentyl)-1H-indol-3-yl](napthalen-1  -yl)methanone (otherwise known as AM-2201 or JHW-2201) |
| **Part 2, 13AB** | Prohibited Export | [1-(5-fluoropentyl)-1H-indol-3-yl](2,2,3,3-tetra  methylcyclopropyl)methanone) (otherwise known as XLR-11) |
| **Part 2, 23AA** | Analogue of BCD Methamphetamine  *(CCR Item 117)* | Methiopropamine (otherwise known as MPA) |
| **Part 2, 23AB** | Analogue of BCD Ketamine *(CCR Item 106)* | methoxetamine |
| **Part 2, 25A** | Prohibited Export | Methyl  N-{[1-(cyclohexylmethyl)-1H-indol-3-yl]carbo nyl}-3-methyl-L-valinate) (otherwise known  as MDMB-CHMICA) |
| **Part 2, 27A** | BCD Item 131 | 3,4-methylenedioxypyrovalerone (otherwise known as MDPV) |
| **Part 2, 27C** | BCD Item 183 | 4-methylmethcathinone (otherwise known as mephedrone 4-MMC) |

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| **Sch 8 New PE Item No** | **CLASSIFICATION** | ***Customs (Prohibited Exports) Regulations 1958* List Name** |
| **Part 2, 27D** | Analogue of BCD Methcathinone  *(CCR Item 119)* | Methylone (otherwise known as beta-keto- MDMA) |
| **Part 2, 29A** | Prohibited Export | para-methyl-4-methylaminorex (otherwise known as 4,4’-DMAR) |
| **Part 2, 30A** | Analogue of BCD Methcathinone *(CCR Item 119)* | Pentedrone |
| **Part 2, 30B** | BCD Item 171 | 1-pentyl-3-(1-napththoyl)indole (otherwise known as JWH-018 or AM-678) |
| **Part 2, 35A** | Analogue of BCD Methcathinone  *(CCR Item 119)* | α-pyrrolidinovalerophenone (otherwise  known as α-PVP) |
| **Part 3, 2AA** | Analogue of BCD Fentanyl  *(CCR Item 86)* | 4-anilino-N phenethylpiperidine (otherwise known as ANPP) |
| **Part 3, 20A** | Prohibited Export | N-phenethyl-4-piperidone (otherwise known as NPP) |
| **Part 4, 36A** | Prohibited Export | Phenazepam |