Analogue Decision Document

Drug Chemistry Team

Analogue Decision Document Number:

Submission made by: **Date:**

Name of Substance:

Synonyms:

Structure:
[insert structure]
[Note: all structures to be drawn using ChemBioDraw Ultra 14.0 (log on to Remote Desktop Connection, computer = appserv), using same orientation as structures from FIT 2017_10 Internal Report "Chemical Structures of the Misuse of Drugs Act 1975, as amended"]
G:\Forensic\Drugs\Chemical Structures\FIT 2017_10 Chemical Structures of the Misuse of Drugs Act 1975 (as amended).pdf

Interpretation (refer Section 2 of MoDA)
http://www.legislation.govt.nz/act/public/1975/0116/latest/DLM436106.html

1. Is the substance specified or described in Schedule 1 or Schedule 2 or Parts 1 to 6 of Schedule 3?

   Schedule 1: http://www.legislation.govt.nz/act/public/1975/0116/latest/DLM436576.html
   Schedule 2: http://www.legislation.govt.nz/act/public/1975/0116/latest/DLM436586.html
   Schedule 3: http://www.legislation.govt.nz/act/public/1975/0116/latest/DLM436723.html

   YES☐ **Substance cannot be a controlled drug analogue.**

   NO☐

2. Is the substance a pharmacy-only medicine or prescription medicine or restricted medicine?
   http://www.legislation.govt.nz/regulation/public/1984/0143/latest/DLM95668.html

   YES☐ **Substance cannot be a controlled drug analogue.**

   NO☐

3. Is the substance an approved product within the meaning of the Psychoactive Substances Act 2013?

(Note: Currently, there are no approved products under the Psychoactive Substances Act 2013, please refer to https://psychoactives.health.govt.nz/ for the most up-to-date information)

YES☐ **Substance cannot be a controlled drug analogue.**

NO☐

4. Does the substance have one of the nuclei/structure as outlined below for the specific analogue groups in Schedule 3, Part 7?
   YES☐ NO☐

Name of nucleus:
Cut and paste one of the below analogue and example sets from below, delete the remaining unused analogues

If the substance carries one of the nuclei above, do the "additions" to the nucleus fit the examples given for that group as outlined in Schedule 3, Part 7?

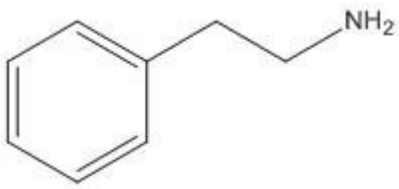
Do all of the addition(s) fit the examples **YES☐**
NO☐
Some, but not all the additions fit the examples **YES☐**
NO☐

Examples: http://www.legislation.govt.nz/act/public/1975/0116/latest/DLM436723.html

If the answers above are 'yes', highlight the appropriate example(s) and delete those that don't apply.

If any of the answers above are "no" or "some additions", go to Question 6.

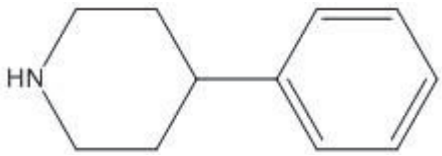
"***Amphetamine analogues"*** 1-amino-2-phenylethane nucleus



Nucleus additions specified in Schedule 3 Part 7 (highlight applicable additions):
(a) 1 or 2 alkyl radicals, each with up to 6 carbon atoms, attached to the nitrogen atom:
(b) 1 or 2 methyl radicals, or an ethyl radical, attached to the carbon atom adjacent to the nitrogen atom:
(c) a hydroxy radical, attached to the carbon atom adjacent to the benzene ring:
(d) any combination of up to 5 alkyl radicals and/or alkoxy radicals and/or alkylamino radicals and/or alkylthio radicals (each with up to 6 carbon atoms, including cyclic radicals) and/or halogen radicals and/or nitro radicals and/or amino radicals, attached to the benzene ring.

Explanation for **[substance]:**

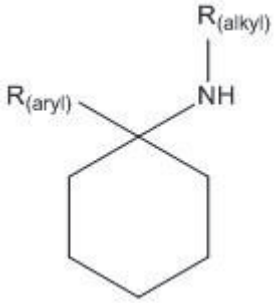
"Pethidine analogues" 4-phenylpiperidine nucleus



Nucleus additions specified in Schedule 3 Part 7 (highlight applicable additions):
(a) an alkyl radical, with up to 6 carbon atoms, attached to the nitrogen atom:
(b) a phenalkyl radical, with up to 12 carbon atoms, attached to the nitrogen atom:
(c) a phenalkyl radical, as in paragraph (b), with 1 or more alkyl radicals, each with up to 6 carbon atoms, attached to the benzene ring in the phenalkyl radical:
(d) an alkylcarbonyloxy or alkoxycarbonyl or hydroxy radical, with up to 6 carbon atoms, attached to the 4 position in the piperidine ring:
(e) any combination of up to 5 alkyl radicals and/or alkoxy radicals (each with up to 6 carbon atoms, including cyclic radicals) and/or halogen radicals, attached to the benzene ring.

Explanation for **[substance]:**

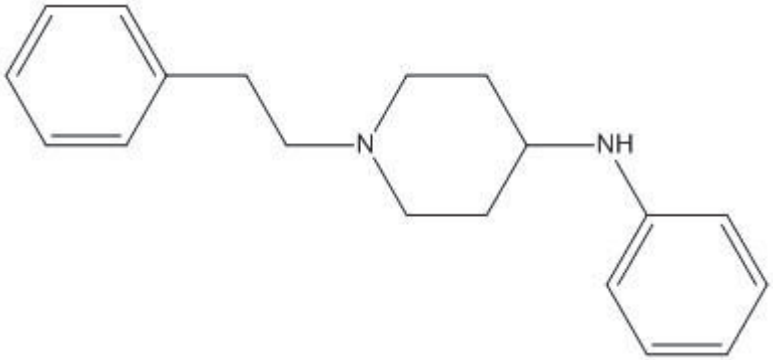
"Phencyclidine analogues" 1-alkylamino-1-arylcyclohexane structure



Nucleus additions specified in Schedule 3 Part 7 (highlight applicable additions):
(a) the alkylamino radical is 1-piperidinyl, 1-pyrrolidinyl, 4-morpholinyl, or any other radical with up to 6 carbon atoms in the alkyl portion:
(b) the aryl radical is phenyl, thienyl, pyridinyl, or pyrrolidinyl:
(c) the aryl radical, as described in paragraph (b), carries any combination of up to 5 alkyl radicals and/or alkoxy radicals (each with up to 6 carbon atoms, including cyclic radicals) and/or halogen radicals.

Explanation for **[substance]:**

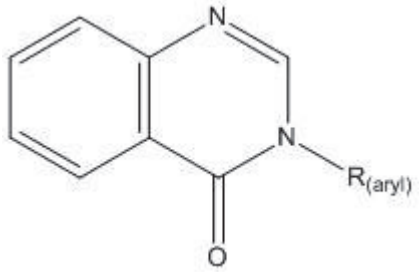
"Fentanyl analogues" N-[1-2-phenethyl)-4-piperidyl]aniline nucleus



Nucleus additions specified in Schedule 3 Part 7 (highlight applicable additions):
(a) an acetyl, propionyl, butenoyl or butanoyl radical, attached to the aniline nitrogen atom:
(b) 1 or more alkyl radicals, with up to 10 carbon atoms in total, attached to the ethyl moeity:
(c) any combination of up to 5 alkyl radicals and/or alkoxy radicals (each with up to 6 carbon atoms, including cyclic radicals) and/or halogen radicals, attached to each of the benzene rings.

Explanation for **[substance]:**

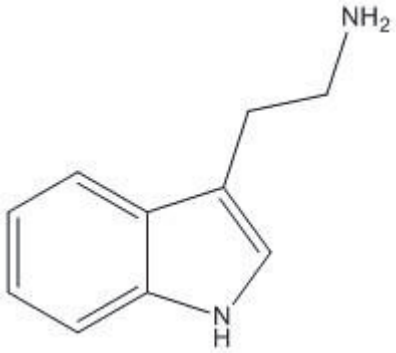
"Methaqualone analogues" 3-arylquinazolin-4-one nucleus



Nucleus additions specified in Schedule 3 Part 7 (highlight applicable additions):
(a) an alkyl radical, with up to 6 carbon atoms, attached at the 2 position:
(b) any combination of up to 5 alkyl radicals and/or alkoxy radicals (each with up to 6 carbon atoms, including cyclic radicals) and/or halogen radicals, attached to each of the aryl rings.

Explanation for **[substance]:**

"DMT (dimethyltryptamine)" 3-(2-aminoethyl)indole nucleus



Nucleus additions specified in Schedule 3 Part 7 (highlight applicable additions):
(a) 1 or 2 alkyl radicals, each with up to 6 carbon atoms, including cyclic radicals, attached to the amino nitrogen atom:
(b) 1 or 2 methyl groups, or an ethyl group, attached to the carbon atom adjacent to the amino nitrogen atom:
(c) any combination of up to 5 alkyl radicals and/or alkoxy radicals (each with up to 6 carbon atoms, including cyclic radicals) and/or halogen radicals, attached to the benzene ring.

Explanation for **[substance]:**

5. If the substance fits the examples given for that group, enter its structure (colour differences) and fill in conclusion below:

   [Substance] is an **[X]** analogue and therefore a Class C controlled drug as per the examples given in Schedule 3, Part 7 of the Misuse of Drugs Act 1975, as amended.

   - If conclusion entered, delete questions 6 – 10, report in a Certificate of Analysis and complete Appendix (for possible future reference).
   - If no conclusion made at this point, enter "N/A" for point 5, continue to point 6.

6. If you have answered **NO** to **ANY** of the questions in part 4, choose a controlled drug that has a structure most similar to **[substance]** and which is specified or described in Schedule 1 or Schedule 2 or Parts 1 to 6 of Schedule 3.
   (Also refer to Appendices 1 to 6 of FIT 2017_10 Internal Report "Chemical Structures of the Misuse of Drugs Act 1975, as amended")
   G:\Forensic\Drugs\Chemical Structures\FIT 2017_10 Chemical Structures of the Misuse of Drugs Act 1975 (as amended).pdf

Controlled drug =
[Insert structure, all listed controlled drugs can be found G:\Forensic\Drugs\Chemical Structures]

7. Does the substance have a structure substantially similar to the selected controlled drug?

   [Insert structures in table (in colour, blue = similarities, green = differences)]

Substance	Controlled drug

   Similarities
   Possible considerations: Majority of the core structure of selected controlled drug present
   Description of structural similarities, specifics, for example - number of rings, number of nitrogens, oxygens etc
   Chemical groups added/removed, compared to examples in Part 7 and overall structure

   No. of similarities:

   Differences
   Possible considerations: Significant structural change to that of the selected controlled drug
   Chemical groups added/removed, compared to examples in Part 7 and overall structure.

   No. of differences:

8. Include comments regarding whether the substance has a **structure** substantially similar or different to the selected controlled drug?
   [track changes for comments and add initials]

9. Include comments regarding any **non-structural** information that needs consideration.
   [track changes for comments and add initials]

10. Conclusion:

Explanation:
[articulate reasoning in response to the question if required, as additional text here]

YES☐ **Substance is a controlled drug analogue**

NO☐ **Substance is not a controlled drug analogue**

Approval:
Person with Technical Responsibility for Controlled Drugs to sign and date here to indicate their agreement.

Report in a statement as:

Under the Misuse of Drugs Act 1975, as amended:
In my opinion, **[substance]** has a structure substantially similar to that of the controlled drug **[controlled drug]** and therefore is a controlled drug analogue. Controlled drug analogues are Class C controlled drugs.

Refer to Appendix 1: The process for consideration of whether **[substance]** is controlled under the Misuse of Drugs Act 1975, as amended

Refer to Appendix 2: –Additional information to consider with classification of **[substance]** as a controlled drug analogue**.** [delete if not required]

Or

Under the Misuse of Drugs Act 1975, as amended:
In my opinion, **[substance]** does not have a structure substantially similar to a controlled drug. Therefore, **[substance]** is not a controlled drug analogue.

Or

Under the Misuse of Drugs Act 1975, as amended:
I am unable to form an opinion as to whether or not *[substance]* has a structure substantially similar to a controlled drug. Refer to the Appendix/Appendices for additional information regarding this conclusion.

Refer to Appendix 1: ESR Process for consideration of whether **[substance]** is controlled under the Misuse of Drugs Act 1975, as amended.

Refer to Appendix 2: Additional information to consider with classification of **[substance]** as a controlled drug analogue**.** [delete if not required]

See Appendices to this form for examples of statement appendices.

11. If the substance is considered not to be a controlled drug, could it be considered to have a psychoactive effect?

    If yes, add the wording below to the cover letter for client to contact the PSRA for further information:

    "The Psychoactive Substances Regulatory Authority is established under the Psychoactive Substances Act 2013. The Authority considers xxxx to be capable of producing a psychoactive effect. For further advice on xxxx, please contact the Psychoactive Substances Regulatory Authority, Ministry of Health. The email address is psychoactives@moh.govt.nz".

    Check current PSRA list (located G:\Forensic\Drugs\PSRA), if substance has not been considered then delete this sentence.

[Amend the Appendix 1 example below as appropriate]

APPENDIX 1: ESR Process for consideration of whether [substance] is controlled under the Misuse of Drugs Act 1975, as amended.

1. Firstly, consideration is given as to whether or not the substance is specified or described in the Schedule 1 or Schedule 2 or Parts 1 to 6 of Schedule 3.

2. Then consideration is given as to whether or not the substance is a pharmacy-only medicine or prescription medicine or restricted medicine in the Medicines Regulations 1984,as amended.

3. Then consideration is given as to whether or not the substance has one of the nuclei/structure as outlined in Schedule 3, Part 7 with “additions” to the nucleus that fit the examples given for that group.

4. If none of the above considerations apply, the substance is compared to a controlled drug described in Schedule 1 or Schedule 2, or Parts 1 to 6 of Schedule 3, and which has a structure most similar to the substance. This comparison considers whether or not the substance has a structure substantially similar to the selected controlled drug.

5. If the substance has a structure substantially similar to the selected controlled drug, it is determined to be a Class C controlled drug analogue, under the Misuse of Drugs Act 1975, as amended.

6. If the substance does not have a structure substantially similar to the selected controlled drug it is determined to not be a controlled drug analogue. Notification is then made to the Psychoactive Substances Regulatory Authority for them to determine whether or not the substance could be considered to be capable of producing a psychoactive effect, under the Psychoactive Substances Act 2013.

   [Insert structures in table (in colour, blue = similarities, green = differences)]

Substance	Controlled drug

Blue = structure similarities, green = structure differences

[Amend the Appendix 2 example below as appropriate]

APPENDIX 2: Additional information to consider with classification of [substance] as a controlled drug analogue.

The following should be considered in association with this conclusion:

- *[list relevant information relating to substance here]*