

**65-7003. Definitions.** As used in K.S.A. 65-7001 through 65-7015, and amendments thereto:

- (a) "Act" means the Kansas chemical control act;
- (b) "administer" means the application of a regulated chemical whether by injection, inhalation, ingestion or any other means, directly into the body of a patient or research subject, such administration to be conducted by: (1) A practitioner, or in the practitioner's presence, by such practitioner's authorized agent; or
- (2) the patient or research subject at the direction and in the presence of the practitioner;
- (c) "agent or representative" means a person who is authorized to receive, possess, manufacture or distribute or in any other manner control or has access to a regulated chemical on behalf of another person;
- (d) "bureau" means the Kansas bureau of investigation;
- (e) "department" means the Kansas department of health and environment;
- (f) "director" means the director of the Kansas bureau of investigation;
- (g) "dispense" means to deliver a regulated chemical to an ultimate user, patient or research subject by, or pursuant to the lawful order of, a practitioner, including the prescribing, administering, packaging, labeling or compounding necessary to prepare the regulated chemical for that delivery;
- (h) "distribute" means to deliver other than by administering or dispensing a regulated chemical;
- (i) "manufacture" means to produce, prepare, propagate, compound, convert or process a regulated chemical directly or indirectly, by extraction from substances of natural origin, chemical synthesis or a combination of extraction and chemical synthesis, and includes packaging or repackaging of the substance or labeling or relabeling of its container. The term excludes the preparation, compounding, packaging, repackaging, labeling or relabeling of a regulated chemical:
  - (1) By a practitioner as an incident to the practitioner's administering or dispensing of a regulated chemical in the course of the practitioner's professional practice; or
  - (2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to research, teaching or chemical analysis and not for sale;
- (j) "person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity;
- (k) "practitioner" means a person licensed to practice medicine and surgery, pharmacist, dentist, podiatrist, veterinarian, optometrist, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance;
- (l) "regulated chemical" means a chemical that is used directly or indirectly to manufacture a controlled substance or other regulated chemical, or is used as a controlled substance analog, in violation of the state controlled substances act or this act. The fact that a chemical may be used for a purpose other than the manufacturing of a controlled substance or regulated chemical does not exempt it from the provisions of this act. Regulated chemical includes:
  - (1) Acetic anhydride (CAS No. 108-24-7);
  - (2) benzaldehyde (CAS No. 100-52-7);
  - (3) benzyl chloride (CAS No. 100-44-7);
  - (4) benzyl cyanide (CAS No. 140-29-4);
  - (5) diethylamine and its salts (CAS No. 109-89-7);
  - (6) ephedrine, its salts, optical isomers and salts of optical isomers (CAS No. 299-42-3), except products containing ephedra or ma huang, which do not contain any chemically synthesized ephedrine alkaloids, and are lawfully marketed as dietary supplements under federal law;
  - (7) hydriodic acid (CAS No. 10034-85-2);
  - (8) iodine (CAS No. 7553-56-2);
  - (9) lithium (CAS No. 7439-93-2);
  - (10) methylamine and its salts (CAS No. 74-89-5);
  - (11) nitroethane (CAS No. 79-24-3);
  - (12) chloroephedrine, its salts, optical isomers, and salts of optical isomers (CAS No. 30572-91-9);
  - (13) phenylacetic acid, its esters and salts (CAS No. 103-82-2);
  - (14) phenylpropanolamine, its salts, optical isomers, and salts of optical isomers (CAS No. 14838-15-4);
  - (15) piperidine and its salts (CAS No. 110-89-4);
  - (16) pseudoephedrine, its salts, optical isomers, and salts of optical isomers (CAS No. 90-82-4);
  - (17) red phosphorous (CAS No. 7723-14-0);
  - (18) sodium (CAS No. 7440-23-5); and
  - (19) thionylchloride (CAS No. 7719-09-7);
  - (20) gamma butyrolactone (GBL), including butyrolactone; butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone dihydro; dihydro-2(3H)-furanone; tetrahydro-2-furanone; 1,2-butanolide; 1,4-butanolide; 4-butanolide; gamma-hydroxybutyric acid lactone; 3-hydroxybutyric acid lactone and 4-hydroxybutanoic acid lactone; CAS No. 96-48-0; and
  - (21) 1,4 butanediol, including butanediol; butane-1,4-diol; 1,4-butylene glycol; butylene glycol; 1,4-dihydroxybutane; 1,4-tetramethylene glycol; tetramethylene glycol; tetramethylene 1,4-diol; CAS No. 110-63-4;
- (m) "regulated chemical distributor" means any person subject to the provisions of the Kansas chemical control act who manufactures or distributes a regulated chemical;
- (n) "regulated chemical retailer" means any person who sells regulated chemicals directly to the public;
- (o) "regulated chemical transaction" means the manufacture of a regulated chemical or the distribution, sale, exchange or other transfer of a regulated chemical within or into the state or from this state into another state; and
- (p) "secretary" means the secretary of health and environment.

**History:** L. 1999, ch. 170, § 9; L. 2000, ch. 69, § 1; L. 2001, ch. 171, § 6; L. 2012, ch. 8, § 11; July 1.