Notice: Status of ketamine under the CDSA

On February 7, 2004, Health Canada published a Notice to Interested Parties in *Canada Gazette*, Part I, with respect to a proposal to control ketamine under the *Controlled Drugs and Substances Act* (CDSA) and its Regulations.

Ketamine is a non-barbiturate anaesthetic approved for use in both humans and animals. It has been listed in Schedule F of the *Food and Drug Regulations* (FDR) since at least 1995. Ketamine has become popular as a "party or club" drug due to its dissociative effects; it creates the illusion of an "out of body experience". Ketamine is also used as a "date rape" drug.

Further research and analysis of the options for scheduling under the CDSA concluded that ketamine is an analogue of phencyclidine (PCP), and is, therefore, captured as item 14 in Schedule I of the CDSA and item 14 in the *Narcotic Control Regulations* (NCR) which states:

> "Phencyclidine (1--(1--phenylcyclohexyl)piperidine), its salts, derivatives and analogues and salts of derivatives and analogues"

Section 58 of the CDSA gives priority to substances listed under its Act and Regulations, stating:

> "In the case of any inconsistency or conflict between this Act or the regulations made under it, and the *Food and Drugs Act* or the regulations made under that Act, this Act and the regulations made under it prevail to the extent of the inconsistency or conflict."

With this determination, all offences and penalties associated with Schedule I to the CDSA are now applicable to ketamine including: possession, trafficking, possession for the purpose of trafficking, importation, exportation, possession for the purpose of exportation, and production.

Any persons involved in the distribution of any product containing ketamine must now comply with the requirements of the NCR. All persons conducting research using ketamine must now apply for an exemption under CDSA.

Health Canada will take action to remove ketamine from Schedule F of the FDR and explicitly list it in Schedule I to the CDSA and the Schedule to the NCR within the next months to avoid further confusion with respect to the regulatory status of this substance. Notification of this amendment will be published in *Canada Gazette*, Part II.

All parties will be expected to come into full compliance with these new requirements by August 31, 2005.

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Further specific information can be found:

Information for researchers: Evaluation and Authorization Division, Office of Controlled Substances, Address Locator: 3503B, 123 Slater St., Ottawa, Ontario, Canada, K1A 1B9, by phone at (613) 952-2219 or (613) 957-1063, by fax at (613) 952-2196 or by email at: exemption@hc-sc.gc.ca

Information for manufacturers and distributors:

Licences and Permits Division, Office of Controlled Substances, Address Locator: 3502A 123 Slater St., Ottawa, Ontario, Canada K1A 1B9, by phone: (613) 948-7796 by fax: (613) 941-5360 or by email at: Controlled_Drugs@hc-sc.gc.ca

Information for Law Enforcement Agencies:

Drug Analysis Service, Drug Strategy and Controlled Substances Programme, Healthy Environments and Consumer Safety Branch, Health Canada, Address Locator 3502E, Ottawa, Ontario, Canada, K1A 1B9, by phone: (613) 946-6533, by fax: (613) 941-8585 or by email at: DAS_SAD@hc-sc.gc.ca

All other inquiries:

Policy and Regulatory Affairs Division, Office of Controlled Substances, Address Locator: 3503D, 123 Slater St., Ottawa, Ontario, Canada, K1A 1B9, by phone: (613) 946-0124 by fax: (613) 946-4224 or by email at: OCS_Policy_and_Regulatory_Affairs@hc-sc.gc.ca

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