

119TH CONGRESS
1ST SESSION

H. R. 1266

To prohibit certain uses of xylazine, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2025

Mr. PANETTA (for himself, Mr. PFLUGER, Mr. BILIRAKIS, Mr. PAPPAS, Mr. FITZGERALD, Ms. ROSS, Mr. CRENSHAW, Mr. HARDER of California, Ms. DELBENE, Mrs. MILLER-MEEKS, Ms. PETERSEN, Ms. CLARKE of New York, Mr. DELUZIO, Mr. MAGAZINER, Mr. BACON, Mr. OBERNOLTE, Mr. COSTA, Mr. BALDERSON, Ms. BARRAGÁN, Mr. CISCOMANI, Mr. CAREY, Mrs. BICE, Ms. CRAIG, Mr. NORCROSS, Mr. FONG, Ms. TENNEY, Mr. FITZPATRICK, Mr. BURCHETT, Ms. DEAN of Pennsylvania, Mr. COHEN, Mr. DAVIS of North Carolina, Mr. CORREA, Mr. WEBSTER of Florida, Mr. COLLINS, Mr. SUOZZI, and Mrs. HARSHBARGER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit certain uses of xylazine, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This title may be cited as the “Combating Illicit
5 Xylazine Act”.

1 **SEC. 2. DEFINITIONS.**

2 (a) IN GENERAL.—In this title, the term “xylazine”
3 has the meaning given the term in paragraph (60) of sec-
4 tion 102 of the Controlled Substances Act, as added by
5 subsection (b) of this section.

6 (b) CONTROLLED SUBSTANCES ACT.—Section 102 of
7 the Controlled Substances Act (21 U.S.C. 802) is amend-
8 ed by adding at the end the following:

9 “(60) The term ‘xylazine’ means the substance
10 xylazine, including its salts, isomers, and salts of isomers
11 whenever the existence of such salts, isomers, and salts
12 of isomers is possible.”.

13 **SEC. 3. ADDING XYLAZINE TO SCHEDULE III.**

14 Schedule III of section 202(c) of the Controlled Sub-
15 stances Act (21 U.S.C. 812) is amended by adding at the
16 end the following:

17 “(f) Unless specifically excepted or unless listed in
18 another schedule, any material, compound, mixture, or
19 preparation which contains any quantity of xylazine.”.

20 **SEC. 4. AMENDMENTS.**

21 (a) AMENDMENT.—Section 102 of the Controlled
22 Substances Act (21 U.S.C. 802) is amended by striking
23 paragraph (27) and inserting the following:

24 “(27)(A) Except as provided in subparagraph (B),
25 the term ‘ultimate user’ means a person who has lawfully
26 obtained, and who possesses, a controlled substance for

1 the use by the person or for the use of a member of the
2 household of the person or for an animal owned by the
3 person or by a member of the household of the person.

4 “(B)(i) In the case of xylazine, other than for a drug
5 product approved under subsection (b) or (j) of section
6 505 of the Federal Food, Drug, and Cosmetic Act (21
7 U.S.C. 355), the term ‘ultimate user’ means a person—

8 “(I) to whom xylazine was dispensed by—

9 “(aa) a veterinarian registered under this
10 Act; or

11 “(bb) a pharmacy registered under this
12 Act pursuant to a prescription of a veterinarian
13 registered under this Act; and

14 “(II) who possesses xylazine for—

15 “(aa) an animal owned by the person or by
16 a member of the household of the person;

17 “(bb) an animal under the care of the per-
18 son;

19 “(cc) use in government animal-control
20 programs authorized under applicable Federal,
21 State, Tribal, or local law; or

22 “(dd) use in wildlife programs authorized
23 under applicable Federal, State, Tribal, or local
24 law.

1 “(ii) In this subparagraph, the term ‘person’ in-
2 cludes—

3 “(I) a government agency or business where
4 animals are located; and

5 “(II) an employee or agent of an agency or
6 business acting within the scope of their employment
7 or agency.”.

8 (b) FACILITIES.—An entity that manufactures
9 xylazine, as of the date of enactment of this Act, shall
10 not be required to make capital expenditures necessary to
11 install the security standard required of schedule III of
12 the Controlled Substances Act (21 U.S.C. 801 et seq.) for
13 the purposes of manufacturing xylazine.

14 (c) LABELING.—The requirements related to label-
15 ing, packaging, and distribution logistics of a controlled
16 substance in schedule III of section 202(c) of the Con-
17 trolled Substances Act (21 U.S.C. 812(c)) shall not take
18 effect for xylazine until the date that is 1 year after the
19 date of enactment of this Act.

20 (d) PRACTITIONER REGISTRATION.—The require-
21 ments related to practitioner registration, inventory, and
22 recordkeeping of a controlled substance in schedule III of
23 section 202(c) of the Controlled Substances Act (21
24 U.S.C. 812(c)) shall not take effect for xylazine until the
25 date that is 60 days after the date of enactment of this

1 Act. A practitioner that has applied for registration during
2 the 60-day period beginning on the date of enactment of
3 this Act may continue their lawful activities until such ap-
4 plication is approved or denied.

5 (e) MANUFACTURER TRANSITION.—The Food and
6 Drug Administration and the Drug Enforcement Adminis-
7 tration shall facilitate and expedite the relevant manufac-
8 turer submissions or applications required by the place-
9 ment of xylazine on schedule III of section 202(c) of the
10 Controlled Substances Act (21 U.S.C. 812(c)).

11 (f) CLARIFICATION.—Nothing in this title, or the
12 amendments made by this title, shall be construed to re-
13 quire the registration of an ultimate user of xylazine under
14 the Controlled Substances Act (21 U.S.C. 801 et seq.) in
15 order to possess xylazine in accordance with subparagraph
16 (B) of section 102(27) of that Act (21 U.S.C. 802(27)),
17 as added by subsection (a) of this section.

18 **SEC. 5. ARCOS TRACKING.**

19 Section 307(i) of the Controlled Substances Act (21
20 U.S.C. 827(i)) is amended—

21 (1) in the matter preceding paragraph (1)—

22 (A) by inserting “or xylazine” after
23 “gamma hydroxybutyric acid”;

24 (B) by inserting “or 512” after “section
25 505”; and

1 (C) by inserting “respectively,” after “the
2 Federal Food, Drug, and Cosmetic Act,”; and
3 (2) in paragraph (6), by inserting “or xylazine”
4 after “gamma hydroxybutyric acid”.

5 **SEC. 6. SENTENCING COMMISSION.**

6 Pursuant to its authority under section 994(p) of title
7 28, United States Code, the United States Sentencing
8 Commission shall review and, if appropriate, amend its
9 sentencing guidelines, policy statements, and official com-
10 mentary applicable to persons convicted of an offense
11 under section 401 of the Controlled Substances Act (21
12 U.S.C. 841) or section 1010 of the Controlled Substances
13 Import and Export Act (21 U.S.C. 960) to provide appro-
14 priate penalties for offenses involving xylazine that are
15 consistent with the amendments made by this title. In car-
16 rying out this section, the Commission should consider the
17 common forms of xylazine as well as its use alongside
18 other scheduled substances.

19 **SEC. 7. REPORT TO CONGRESS ON XYLAZINE.**

20 (a) INITIAL REPORT.—Not later than 18 months
21 after the date of the enactment of this Act, the Attorney
22 General, acting through the Administrator of the Drug
23 Enforcement Administration and in coordination with the
24 Commissioner of Food and Drugs, shall submit to Con-
25 gress a report on the prevalence of illicit use of xylazine

1 in the United States and the impacts of such use, includ-
2 ing—

3 (1) where the drug is being diverted;

4 (2) where the drug is originating; and

5 (3) whether any analogues to xylazine, or re-
6 lated or derivative substances, exist and present a
7 substantial risk of abuse.

8 (b) ADDITIONAL REPORT.—Not later than 4 years
9 after the date of the enactment of this Act, the Attorney
10 General, acting through the Administrator of the Drug
11 Enforcement Administration and in coordination with the
12 Commissioner of Food and Drugs, shall submit to Con-
13 gress a report updating Congress on the prevalence and
14 proliferation of xylazine trafficking and misuse in the
15 United States.

○