

STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD

IN THE MATTER OF RULE-MAKING PROCEEDINGS BEFORE THE
CONTROLLED SUBSTANCES BOARD

AFFIRMATIVE ACTION ORDER OF THE
CONTROLLED SUBSTANCES BOARD

FINDINGS

1. On September 6, 2016, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing AB-FUBINACA and ADB-PINACA into schedule I of the federal Controlled Substances Act. The scheduling action is effective September 6, 2016.
2. The Controlled Substances Board did not receive an objection to similarly treating AB-FUBINACA and ADB-PINACA as a schedule I controlled substances under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating AB-FUBINACA and ADB-PINACA as controlled substances.
3. The Controlled Substances Board will promulgate a final rule, without making the determinations or findings required by ss. 961.11(1), (1m), (1r) and (2) or s. 961.19 and omitting the notice of proposed rule making, designating AB-FUBINACA and ADB-PINACA as schedule I controlled substances.

ORDER

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats AB-FUBINACA and ADB-PINACA under chapter 961, Stats. by creating the following:

CSB 2.45 Addition of AB-FUBINACA and ADB-PINACA to schedule I. Section 961.14 (4) (tb) 32. and 33., Stats., is created to read:

961.14 (4) (tb) 32. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, commonly known as AB-FUBINACA.

33. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, commonly known as ADB-PINACA.

This order shall take effect on October 10, 2016 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.