

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 July 17, 2015, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing acetyl fentanyl into schedule I of the federal Controlled Substances Act. The scheduling action is effective July 17, 2015.
2. The Controlled Substances Board did not receive an objection to similarly treating acetyl fentanyl as a schedule I under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating acetyl fentanyl as a controlled substance.
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 acetyl fentanyl as a schedule I controlled substance.

ORDER

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats acetyl fentanyl under chapter 961, Stats. by creating the following:

CSB 2.46 Addition of acetyl fentanyl to schedule I. Section 961.14 (2) (ae), Stats., is created to read:

961.14 (2) (ae) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).

This order shall take effect on November 21, 2016 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated 11-15-16

/s/ Doug Englebert
Doug Englebert, Chair
Controlled Substances Board