

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 May 3, 2017, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing 4-Fluoroisobutyryl Fentanyl into schedule I of the federal Controlled Substances Act. The scheduling action is effective May 3, 2017.
2. The Controlled Substances Board did not receive an objection to similarly treating 4-Fluoroisobutyryl 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 4-Fluoroisobutyryl 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 4-Fluoroisobutyryl Fentanyl as a schedule I controlled substance.

ORDER

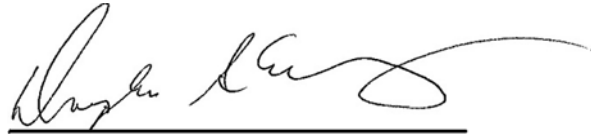
Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats 4-fluoroisobutyryl fentanyl under chapter 961, Stats. by creating the following:

CSB 2.56 Addition of 4-fluoroisobutyryl fentanyl to schedule I. Section 961.14(2)(nc), Stats., is created to read:

961.14(2)(nc) 4-fluoroisobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);

This order shall take effect on June 12, 2017 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated June 5, 2017

A handwritten signature in black ink, appearing to read "Doug Englebert", written over a horizontal line.

Doug Englebert, Chair
Controlled Substances Board