

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 10, 2018, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA and 5F-CUMYL-P7AICA into schedule I of the federal Controlled Substances Act. The scheduling action is effective July 10, 2018.
2. The Controlled Substances Board did not receive an objection to similarly treating NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA and 5F-CUMYL-P7AICA as schedule I under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA and 5F-CUMYL-P7AICA 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 NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA and 5F-CUMYL-P7AICA as schedule I controlled substances.

ORDER

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA and 5F-CUMYL-P7AICA under chapter 961, Stats. by creating the following:

CSB 2.63 Addition of NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA and 5F-CUMYL-P7AICA to schedule I. Section 961.14(4) (tb) 44., 45., 46., 47., and 48., Stats., are created to read:

961.14(4)(tb) 44. Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, commonly known as NM2201

45. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, commonly known as 5F-AM-PINACA

46. 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, commonly known as 4-CN-CUMYL-BUTINACA

47. Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoate, commonly known as MMB-CHMICA

48. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-pyrrolo[2,3-b]pyridine-3-carboxamide, commonly known as 5F-CUMYL-P7AICA

This order shall take effect on August 13, 2018 to allow for publication in the Administrative Register.
The order expires upon promulgation of a final rule.

Dated 10 August 2018

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

Doug Englebert, Chair
Controlled Substances Board