

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 28, 2018, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing U.S. Food and Drug Administration approved cannabidiol drugs into schedule V of the federal Controlled Substances Act. The scheduling action is effective September 28, 2018.
2. 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. 961.21 and omitting the notice of proposed rule-making, designating U.S. Food and Drug Administration approved cannabidiol drugs as a schedule V controlled substances.

ORDER

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

CSB 2.65 Addition of approved cannabidiol drugs to schedule V. Section 961.22 (7), Stats., is created to read:

961.22 (7) APPROVED CANNABIDIOL DRUGS. A drug product in finished dosage formulation that has been approved by the United States food and drug administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols.

This order shall take effect on October 15, 2018 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated October 9, 2018



Doug Englebert, Chair
Controlled Substances Board