

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 12, 2016, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) including its salts, isomers or salts of isomers into schedule V of the federal Controlled Substances Act. The scheduling action is effective May 12, 2016.
2. The Controlled Substances Board did not receive an objection to similarly treating brivaracetam as a schedule V under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating brivaracetam 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 brivaracetam as a schedule V controlled substance.

ORDER

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

**CSB 2.43 Addition of brivaracetam to schedule V.** Section 961.22(6), Stats., is created to read:

*961.22(6) BRIVARACETAM. Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide), including its salts, isomers or salts of isomers.*

This order shall take effect on September 26, 2016 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.