

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 April 10, 2017, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing 5F-ADB, 5F-AMB, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA into schedule I of the federal Controlled Substances Act. The scheduling action is effective April 10, 2017.
2. The Controlled Substances Board did not receive an objection to similarly treating 5F-ADB, 5F-AMB, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA as schedule I under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating 5F-ADB, 5F-AMB, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA 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 5F-ADB, 5F-AMB, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA as a schedule I controlled substances.

ORDER

Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats 5F-ADB, 5F-AMB, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA under chapter 961, Stats. by creating the following:

CSB 2.55 Addition of 5F-ADB, 5F-AMB, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA to schedule I. Section 961.14 (4) (tb) 38., 39., 40., 41., and 42., Stats., is created to read:

961.14 (4) (tb) 38. Methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate, commonly known as 5F-ADB.

39. Methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate, commonly known as 5F-AMB.


40. *N*-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide, commonly known as ADB-FUBINACA.

41. Methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-dimethylbutanoate commonly known as MDMB-CHMICA.

42. Methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate, commonly known as MDMB-FUBINACA.

This order shall take effect on May 15, 2017 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated May 12, 2017

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

Doug Englebert, Chair
Controlled Substances Board