

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 August 31, 2018, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing N-Ethylpentylone into schedule I of the federal Controlled Substances Act. The scheduling action is effective August 31, 2018.
2. The Controlled Substances Board did not receive an objection to similarly treating N-Ethylpentylone 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 N-Ethylpentylone 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 N-Ethylpentylone as a schedule I controlled substance.

ORDER

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

**CSB 2.64 Addition of N-Ethylpentylone to schedule I.** Section 961.14 (7) (L) 34., Stats., is created to read:

961.14 (7) (L) 34. N-Ethylpentylone, commonly known as ephylone.

This order shall take effect on October 8, 2018 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated October 3, 2018



Doug Englebert, Chair  
Controlled Substances Board