

STATE OF WISCONSIN
CONTROLLED SUBSTANCES BOARD

IN THE MATTER OF RULE-MAKING : AFFIRMATIVE ACTION
PROCEEDINGS BEFORE THE : ORDER OF THE
CONTROLLED SUBSTANCES BOARD : CONTROLLED SUBSTANCES BOARD

FINDINGS

1. On April 17, 2020, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register placing norfentanyl into schedule II of the federal Controlled Substances Act. The scheduling action is effective May 18, 2020.
2. The Controlled Substances Board did not receive an objection to similarly treating norfentanyl as a schedule II under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order designating norfentanyl 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. 961.15 and omitting the notice of proposed rule making, designating norfentanyl as a schedule II controlled substance.

ORDER

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

CSB 2.76 Addition of norfentanyl to schedule II. (1) Section 961.16 (8) (b), Stats., is renumbered 961.16 (8) (b) (intro.) and amended to read:

961.16 (8) (b) An immediate precursor to fentanyl, including all of the following:

1. 4-anilino-N-phenethyl-4-piperidine, commonly known as ANPP.

(2) Section 961.16 (8) (b) 2., Stats. is created to read:

2. N-phenyl-N-(piperidin-4-yl)propionamide, commonly known as norfentanyl.

This order shall take effect on June 29, 2020 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated June 23, 2020



Doug Englebert, Chair
Controlled Substances Board