

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 October 6, 2009, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register listing Fospropofol into schedule IV of the federal Controlled Substances Act. The scheduling action is effective November 5, 2009.
2. The Controlled Substances Board did not receive an objection to similarly listing Fospropofol as a schedule IV under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order listing Fospropofol as a schedule IV 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, listing Fospropofol as a schedule IV controlled substance.

ORDER

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

CSB 2.86 Addition of Fospropofol to schedule IV. Section 961.20 (2) (en), Stats., is created to read:

961.20 (2) (en) Fospropofol.

This order shall take effect upon publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated 7/9/2021



Doug Englebort, Chair
Controlled Substances Board