

STATE OF WISCONSIN  
CONTROLLED SUBSTANCES BOARD

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

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FINDINGS

1. On December 23, 2022, the Department of Justice, Drug Enforcement Administration published its final rule in the Federal Register removing Fenfluramine from schedule IV of the federal Controlled Substances Act. The scheduling action was effective on December 23, 2022.
2. The Controlled Substances Board did not receive an objection to similarly excluding Fenfluramine as a schedule IV controlled substance under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order removing Fenfluramine 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. 961.15 and omitting the notice of proposed rulemaking, excluding Fenfluramine as a schedule IV controlled substance pursuant to s. 961.16 (2) (a).

ORDER

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

**CSB 2.002 Excluding Fenfluramine from schedule IV.** Section 961.20 (4) (am), Stats. is repealed.

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

Dated 04/07/2023

*Douglas Englebort*

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Doug Englebort, Chair  
Controlled Substances Board