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 22, 2014, the United States Food and Drug Administration, Drug Enforcement Administration published its final rule in the Federal Register rescheduling hydrocodone combination products from Schedule III to Schedule II of the federal Controlled Substances Act. The scheduling action is effective October 6, 2014.

2. The Controlled Substances Board did not receive an objection to similarly treating hydrocodone combination products as a schedule II under ch. 961, Stats. within 30 days of the date of publication in the federal register of the final order rescheduling hydrocodone combination products.

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, rescheduling hydrocodone combination products as schedule II controlled substances.

ORDER

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

CSB 2.37 Rescheduling of hydrocodone combination products.

Sections 961.18(5)(c) and (d), Stats., are repealed.

This order shall take effect on November 1, 2014 to allow for publication in the Administrative Register. The order expires upon promulgation of a final rule.

Dated 10-7-14

Doug Englebert, Chair
Controlled Substances Board