

SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

Placement of Orthofluorofentanyl, Tetrahydrofuranyl Fentanyl, and Methoxyacetyl Fentanyl into Schedule I of the S.C. Controlled Substances Act

WHEREAS, pursuant to S.C. Code Section 44-53-160(C), the South Carolina Board of Health and Environmental Control (Board) is authorized to add a substance as a controlled substance if the Federal government has so designated; and

WHEREAS, the U.S. Department of Justice, Drug Enforcement Administration (DEA), published on October 27, 2017, its notice of intent to temporarily schedule the synthetic opioids, N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (ortho-fluorofentanyl or 2-fluorofentanyl), N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide (tetrahydrofuranyl fentanyl), and 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (methoxyacetyl fentanyl), into Schedule I of the Controlled Substances Act (CSA), effective upon publication of the Final Order. Federal Register, Volume 82, Number 134, pp. 32453-32457; <https://www.gpo.gov/fdsys/pkg/FR-2017-10-26/pdf/2017-23206.pdf>; and

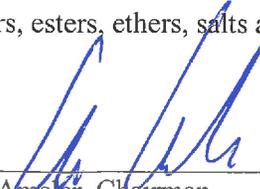
WHEREAS, substances listed in Schedule I are those that have a high potential for abuse, no currently acceptable medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision. The population likely to abuse orthofluorofentanyl, tetrahydrofuranyl fentanyl, and methoxyacetyl fentanyl overlaps with the population abusing prescription opioid analgesics, heroin, fentanyl, and other fentanyl-related substances. Because abusers of these substances are likely to obtain them through unregulated sources, the identity, purity, and quantity are uncertain and inconsistent, thus posing significant adverse health risks to the end user. Individuals who initiate (i.e. use a drug for the first time) the substance abuse are likely to be at risk of developing substance use disorder, overdose, and death similar to that of other opioid analgesics (e.g., fentanyl, morphine, etc.).

WHEREAS, use of ortho-Fluorofentanyl, tetrahydrofuranyl fentanyl, and methoxyacetyl fentanyl have been associated with numerous fatalities. At least 13 confirmed overdose deaths involving ortho-fluorofentanyl abuse have been reported from Georgia (1), North Carolina (11), and Texas (1). At least two confirmed overdose deaths involving tetrahydrofuranyl fentanyl have been reported from New Jersey (1) and Wisconsin (1). At least two confirmed overdose deaths involving methoxyacetyl fentanyl have been reported from Pennsylvania. As the data demonstrate, the potential for fatal and non-fatal overdoses exists for orthofluorofentanyl, tetrahydrofuranyl fentanyl, and methoxyacetyl fentanyl and these substances pose an imminent hazard to the public safety; and

WHEREAS, available information for ortho-Fluorofentanyl, tetrahydrofuranyl fentanyl, and methoxyacetyl fentanyl indicates high potential for abuse, no currently acceptable medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision. Therefore, the DEA has determined that placing ortho-Fluorofentanyl, tetrahydrofuranyl fentanyl, and methoxyacetyl fentanyl into Schedule I is necessary to avoid an imminent hazard to the public safety; and

THEREFORE, the Board of Health and Environmental Control adopts the federal scheduling of ortho-Fluorofentanyl, tetrahydrofuranyl fentanyl, and methoxyacetyl fentanyl and amends Section 44-53-190 by adding and designating into Schedule I of the South Carolina Controlled Substances Act: N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) propionamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: ortho-fluorofentanyl, 2-fluorofentanyl); N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: tetrahydrofuranyl fentanyl); and 2-methoxy-N-(1-

phenethylpiperidin-4-yl)-N-phenylacetamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: methoxyacetyl fentanyl).



Allen Ansler, Chairman
S.C. Board of Health and Environmental Control

November 9, 2017
Columbia, South Carolina