SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

Placement of 10 Specific Fentanyl-Related Substances in Schedule I for Controlled Substances

WHEREAS, pursuant to S.C. Code Section 44-53-160(C), the S.C. Board of Health and Environmental Control ("Board") shall designate a substance as a controlled substance by scheduling it in accordance with an order effecting federal scheduling as a controlled substance;

WHEREAS, the U.S. Department of Justice and the Drug Enforcement Administration ("DEA") issued a final rule which placed 10 specified fentanyl-related substances permanently into schedule I of the federal Controlled Substances Act ("CSA"), effective April 27, 2021, as stated in the April 27, 2021 issue of the Federal Register, Volume 86, Number 79, pages 22113-22118;

WHEREAS, 2'-Fluoro ortho-fluorofentanyl, 4'-methyl acetyl fentanyl, b'-phenyl fentanyl, b-methyl fentanyl, orthofluorobutyl fentanyl, ortho-methyl acetylfentanyl, ortho-methyl methoxyacetyl fentanyl, paramethylenfentanyl, phenyl fentanyl, and thiofuranyl fentanyl have a high potential for abuse that is comparable to other schedule I substances such as acetyl fentanyl and furanyl fentanyl; have no currently accepted medical use in treatment in the United States; and a lack of accepted safety for use under medical supervision; and

THEREFORE, the Board of Health and Environmental Control adopts the federal scheduling of the 10 specific fentanyl-related substances and amends Section 44-53-190(B) of the South Carolina Code of Laws by adding and designating into Schedule I of the South Carolina Controlled Substances Act: N-(1-(2-fluorophenethyl)piperidin4-yl)-N-(2-fluorophenyl)propionamide (2'-fluoro ortho-fluorofentanyl; 2'-fluoro 2-fluorofentanyl); N-(1-(4-methylphenethyl)piperidin4-yl)-N-phenylacetamide (4'-methyl acetyl fentanyl); N-(1-phenethylpiperidin4-yl)-N,3- diphenylpropanamide (b'-phenyl fentanyl; beta'-Phenyl fentanyl; 3-phenylpropionyl fentanyl); N-phenyl-N-(1-(2-phenylpropyl)piperidin4-yl)propionamide (b-methyl fentanyl); N-(2-fluorophenyl)-N-(1-phenethylpiperidin4-yl)butyramide (ortho-fluorobutyryl fentanyl; 2-fluorobutyryl fentanyl); N-(2-methylphenyl)-N-(1-phenethylpiperidin4-yl)acetamide (ortho-methyl acetyl fentanyl; 2-methylacetyl fentanyl); 2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin4-yl)acetamide (ortho-methyl methoxyacetyl fentanyl; 2-methyl methoxyacetyl fentanyl); N-(4-methylphenyl)-N-(1-phenethylpiperidin4-yl)propionamide (para-methylfentanyl; 4-methylfentanyl); N-(1-phenethylpiperidin4-yl)-N-phenylbenzamide (phenyl fentanyl; benzoyl fentanyl); and N-(1-phenethylpiperidin4-yl)-N-phenylthiophene-2-carboxamide (thiofuranyl fentanyl; 2-thiofuranyl fentanyl; thiophene fentanyl), including their isomers, esters, others, salts, and salts of isomers, esters, and others whenever the existence of such isomers, esters, ethers, salts, and salts is possible.

Mark R. Elam
Chairman
S.C. Board of Health and Environmental Control

May 13, 2021
Columbia, South Carolina