

SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

**Placement of Norfentanyl into Schedule II 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 placing norfentanyl into schedule II of the federal Controlled Substances Act (“CSA”), effective for May 18, 2020, as stated in the April 17, 2020 issue of the *Federal Register*, Volume 85, Number 75, pages 21320-21325;

WHEREAS, the Drug Enforcement Administration believes that the control of norfentanyl is necessary to prevent its production and use in the illicit manufacture of fentanyl. The DEA is designating the precursor chemical, N-phenyl-N- (piperidin-4-yl) propionamide (norfentanyl), as an immediate precursor for the schedule II controlled substance known as fentanyl. Furthermore, the DEA is finalizing the control of norfentanyl as a schedule II substance under the federal CSA;

WHEREAS, according to its final rule, the DEA has concluded that norfentanyl is produced primarily for use in the manufacture of the schedule II controlled substance known as fentanyl, is an immediate chemical intermediary used in the manufacture of the controlled substance known as fentanyl, and that controlling norfentanyl is necessary to prevent, curtail, and limit the unlawful manufacture of the controlled substance, known as fentanyl. Therefore, the DEA has concluded that it is necessary for norfentanyl to be placed in schedule II of the federal Controlled Substances Act, going into effect on May 18, 2020; and

THEREFORE, the Board of Health and Environmental Control adopts the federal scheduling of norfentanyl and amends Section 44-53-210 of the South Carolina Code of Laws by adding and designating into Schedule II of the South Carolina Controlled Substances Act: N-phenyl-N- (piperidin-4-yl)propionamide (norfentanyl).



Mark Elam, Chairman

S.C. Board of Health and Environmental Control

May 7, 2020  
Columbia, South Carolina