

SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

**Removal of Fenfluramine from Schedule IV for Controlled Substances**


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

WHEREAS, the U.S. Department of Justice, Drug Enforcement Administration (“DEA”), issued a final rule on December 23, 2022, removing N-ethyl- $\alpha$ -methyl-3-(trifluoromethyl)phenethylamine (fenfluramine), including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts is possible from schedule IV of the federal Controlled Substance Act, effective December 23, 2022, *Federal Register* 87, Number 246, pp 78857-78859;

WHEREAS, based on the Food and Drug Administration’s scientific and medical review of the eight factors and findings related to the substance’s abuse potential, legitimate medical use, and dependence liability, the Department of Health and Human Services (“HHS”) recommended that fenfluramine and its salts be removed from all schedules of the CSA; and

WHEREAS, after careful review of all relevant data including HHS’ scientific and medical evaluation and scheduling recommendation, DEA removes fenfluramine, including its salts, isomers, and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible, from control under the CSA;

THEREFORE, the Board of Health and Environmental Control removes fenfluramine, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts is possible from schedule IV of the Controlled Substance list, amending S.C. Code Section 44-53-250 accordingly.

  
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Seema Shrivastava-Patel, Vice Chairman  
S.C. Board of Health and Environmental Control

January 5, 2023  
Columbia, South Carolina