

SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

Placement of Acetyl Fentanyl into Schedule I of the S.C. Controlled Substances Act

Whereas, pursuant to S.C. Code Section 44-53-160(C), the S.C. 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 May 21, 2015, its notice of intent to temporarily schedule the synthetic opioid, N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl), into schedule I of the Controlled Substances Act (CSA), effective upon publication of the final order. F.R. Volume 80, Number 98, pp. 29227-29230; <http://www.gpo.gov/fdsys/pkg/FR-2015-05-21/pdf/2015-12331.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. Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide), is an opioid analgesic that has been found in powder and tablet form. The DEA noted that acetyl fentanyl has an abuse potential similar to heroin and prescription opioid analgesics.

Whereas, in 2012 and 2013, acetyl fentanyl was associated with 39 deaths in several states. In August 2013, the Centers for Disease Control and Prevention (CDC) published a report discussing a series of deaths associated with acetyl fentanyl, at <http://www.cdc.gov/mmwr/pdf/wk/mm6234.pdf>. In February 2014, the North Carolina Department of Health and Human Services issued a health advisory following at least three deaths related to acetyl fentanyl, at [http://www.ncdhhs.gov/pressrel/2014/2014-02-19\\_health\\_advisory.htm](http://www.ncdhhs.gov/pressrel/2014/2014-02-19_health_advisory.htm); and

Whereas, available information for acetyl fentanyl indicates this substance has 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. Therefore, the DEA has determined that placing acetyl fentanyl into schedule I is necessary to avoid an imminent hazard to the public safety; and

Now, therefore, the Board of Health and Environmental Control adopts the federal scheduling of acetyl fentanyl and amends Section 44-53-190 by adding and designating N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl), its optical, positional, and geometric isomers, salts and salts of isomers into Schedule I of the South Carolina Controlled Substances Act..



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

June 11, 2015  
Columbia, South Carolina