

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, orthofluorobutyryl fentanyl, ortho-methyl acetylfentanyl, ortho-methyl methoxyacetyl fentanyl, paramethylfentanyl, 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)piperidin-4-yl)-N-(2-fluorophenyl)propionamide (2'-fluoro ortho-fluorofentanyl; 2'-fluoro 2-fluorofentanyl); N-(1-(4-methylphenethyl)piperidin-4-yl)-N-phenylacetamide (4'-methyl acetyl fentanyl); N-(1-phenethylpiperidin-4-yl)-N,3-diphenylpropanamide ( $\beta$ '-phenyl fentanyl; beta'-Phenyl fentanyl; 3-phenylpropanoyl fentanyl); N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)propionamide ( $\beta$ -methyl fentanyl); N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (ortho-fluorobutyryl fentanyl; 2-fluorobutyryl fentanyl); N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide (ortho-methyl acetyl fentanyl; 2-methylacetyl fentanyl); 2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide (ortho-methyl methoxyacetylfentanyl; 2-methyl methoxyacetyl fentanyl); N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (para-methylfentanyl; 4-methylfentanyl); N-(1-phenethylpiperidin-4-yl)-N-phenylbenzamide (phenyl fentanyl; benzoyl fentanyl); and N-(1-phenethylpiperidin-4-yl)-N-phenylthiophene-2-carboxamide (thiofuranyl fentanyl; 2-thiofuranyl fentanyl; thiophene fentanyl), including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible.



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

May 13, 2021  
Columbia, South Carolina