

AMENDED Abbreviated Notice

AMENDED ABBREVIATED NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES RELATIVE TO CONTROLLED SUBSTANCES

TAKE NOTICE that the North Dakota State Board of Pharmacy will hold a public hearing to address proposed additions to Administrative Code Article 61-13 Controlled Substances at 9:00 AM on Wednesday, January 9th, 2013 at the Wingate by Wyndam 4429 19th Ave SW - Fargo ND 58103. These proposed additions to the Administrative Code have been adopted as Emergency Rules with an effective date of December 3, 2012.

The purpose of Article 61-13 Controlled Substance rule addition is to schedule substances which have an actual or relative potential for abuse and which bear risk to the public health by unknown individuals using them by inhaling the smoke, vapors or by ingesting/injecting the substance. This includes their homologues, salts, isomers, and salts of isomers:

1. Synthetic cannabinoids –Including those substances which chemical structure falls under the following categories: Naphthoylindoles, Naphthylmethylindoles, Naphthoylpyrroles, Naphthylmethylindenes, Phenylacetylindoles, Cyclohexylphenols, Benzoylindoles, Tetramethylcyclopropanoylindoles.
2. Other synthetic cannabinoids – AM-1248, JWH-018 adamantyl carboxamide, STS-135, AKB-48, AB-001, CB-13.
3. Substituted phenethylamines
4. Substituted tryptamines
5. Hallucinogenic substances – TFMPP, 1-[4-(trifluoromethylphenyl)]piperazine, MDAI, MXE
6. Substituted cathinones
7. Stimulant substances – Fluoroamphetamine and Fluoromethamphetamine

Common names these products are being sold as include but are not limited to: White Rabbit, Orgazmo, New Dimension, Bizarro, Bayou Blaster, 100% Pure Evil, Sky Pilot Organic Sachet, Hayze, Pure, Demon, and Avalanche.

The proposed rule in 61-13 Controlled Substances may have an impact on the regulated community in excess of \$50,000 and the regulatory analysis explains that impact.

The proposed rules may be reviewed on our website www.nodakpharmacy.com or at the office of the ND State Board of Pharmacy – 1906 E Broadway – Bismarck ND 58501. A Copy of the proposed rules and/or a regulatory analysis may be requested by writing P O Box 1354 Bismarck ND 58502-1354 or calling 701-328-9535. Written or oral comments on the proposed rules sent to the above address or telephone number and received by January 19th, 2013 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the ND State Board of Pharmacy at the above telephone number or address at least two weeks (14 days) prior to the public hearing.

Dated this 10th day of December 2012.

Howard C. Anderson, Jr, RPh.
Executive Director