FULL NOTICE OF INTENT TO ADOPT ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota Board of Pharmacy will hold a public hearing to address proposed amendments to N.D. Admin. Code 61-13-01-03 at 10:00 am CDT on September 17, 2026, at North Dakota State Capitol in the Pioneer Room at 600 East Boulevard Ave Bismarck ND, 58505.. The purpose of the proposed amendments is to address an imminent threat to the public safety and wellbeing by scheduling substances known to be subject to abuse and cause severe addiction or death. The proposed amendment addresses five alkaloids found within consumer products for sale or in circulation in North Dakota, each with potencies similar to Schedule I substances: 7-hydroxymitragynine ("7-OH," "7-OHMG"), pseudoindoxyl mitragynine, MGM–15, MGM–16, and 7-acetoxymitragynine. The proposed rules make these substances Schedule I controlled substances under North Dakota's Controlled Substances Act, N.D.C.C. ch. 19-03.1. The proposed amendment is expected to have an impact on the regulated community in excess of $50,000.

These rules are emergency rules with an effective date of August 5th, 2026 at 5:00PM.

The proposed rules may be reviewed at the office of the North Dakota Board of Pharmacy 1838 E Interstate Ave Suite D, Bismarck, ND 58503. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address, emailing ndboph2@ndboard.pharmacy, or calling (701) 877-2404. Written or oral comments on the proposed rules sent to the above address or telephone number and received by September 27, 2026 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 North Dakota Board of Pharmacy at the above telephone number or address at least seven (7) days prior to the public hearing.

Dated this 5th day of August, 2026.

North Dakota Board of Pharmacy

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