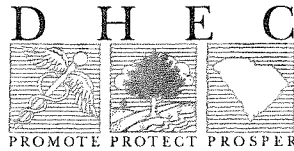


BOARD:
Allen Amsler
Chairman
Mark S. Lutz
Vice Chairman
R. Kenyon Wells



Catherine B. Templeton, Director

Promoting and protecting the health of the public and the environment

BOARD:
Charles M. Joye II, P.E.
L. Clarence Batts, Jr.
Ann B. Kirol, DDS
John O. Hutto, Sr., MD

**Minutes of the February 27, 2014, conference call meeting of the
South Carolina Board of Health and Environmental Control**

The South Carolina Board of Health and Environmental Control met on Thursday, February 27, 2014, via teleconference at 10:00 a.m. in the Board Room at the South Carolina Department of Health and Environmental Control building, 2600 Bull Street, Columbia, South Carolina. (Attachment 0-1)

The following members were in attendance via telephone:

Allen Amsler, Chairman
Member-At-Large

Mark S. Lutz, Vice-Chairman
1st District

Charles M. Joye, II, P.E.
3rd District

L. Clarence Batts
4th District

Ann B. Kirol, DDS
5th District

Also in attendance were Catherine B. Templeton, Director (via telephone); W. Marshall Taylor, Jr., General Counsel; Lisa Lucas Longshore, Clerk; Department staff. (Attachment 0-2)

Chairman Amsler called the meeting to order and stated notice of this meeting had been provided to all persons, organizations and news media, which have requested notification, as required by Section 30-4-80(e) of the South Carolina Code of Laws.

Item 1: Placement of Four Synthetic Cannabinoids (chemical substances containing THC, the main ingredient in Marijuana) Into Schedule I for Controlled Substances (Attachment 1-1)

Ms. Regina Erving, Director, Bureau of Drug Control, presented this item to the Board.

Controlled substances are governed by the Controlled Substances Act (CSA), found at Title 44, Chapter 53, of the S.C. Code of Laws. Section 44-53-160 is titled "Manner in which changes in schedule of controlled substances shall be made." Pursuant to § 44-53-160, controlled

substances are generally designated by the General Assembly, upon recommendation by DHEC. Schedule I substances are listed in § 44-53-190. § 44-53-160(C) provides a process by which DHEC can expeditiously designate a substance as a controlled substance if the federal government has so designated.

§ 44-53-160(C) states: If a substance is added, deleted, or rescheduled as a controlled substance pursuant to federal law or regulation, the department shall, at the first regular or special meeting of the South Carolina Board of Health and Environmental Control within thirty days after publication in the federal register of the final order designating the substance as a controlled substance or rescheduling or deleting the substance, add, delete, or reschedule the substance in the appropriate schedule. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection has the full force of law unless overturned by the General Assembly. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection must be in substance identical with the order published in the federal register effecting the change in federal status of the substance. Upon the addition, deletion, or rescheduling of a substance, the department shall forward copies of the change to the Chairman of the Medical Affairs Committee and the Judiciary Committee of the Senate, the Medical, Military, Public and Municipal Affairs Committee and the Judiciary Committee of the House of Representatives, and to the Clerks of the Senate and House, and shall post the schedules on the department's website indicating the change and specifying the effective date of the change.

The U.S. Department of Justice, Drug Enforcement Administration (DEA), published on February 10, 2014, a final order to temporarily schedule four synthetic cannabinoids, into Schedule I of the Controlled Substances Act (CSA). These substances are: Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC) quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22; N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA); and N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA), effective on the date of publication. F.R. Volume 79, Number 27, pp. 7577-7582.

Synthetic cannabinoids are a large family of compounds that are functionally (biologically) similar to delta9-tetrahydrocannabinol (THC), the main active ingredient in marijuana. Synthetic cannabinoids, however, are not organic but are chemicals created in a laboratory. This action was based on a finding by the Deputy Administrator that the placement of these substances into Schedule I was necessary to avoid an imminent hazard to the public safety.

These four substances meet the requirements for scheduling due to a finding by the Deputy Administrator that the placement of these synthetic cannabinoids and their optical, positional, and geometric isomers, salts and salts of isomers into schedule I of the CSA is necessary to avoid an imminent hazard to the public safety. As a result of this order, the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances will be imposed on persons who handle (manufacture, distribute, import, export, and engage in research, conduct instructional activities, and possess), or propose to handle these synthetic cannabinoids. There are substantial risks to the public health documented in the F.R. final order, including consideration of the substance's history and current pattern of abuse and the scope, duration and significance of abuse. These substances also meet the statutory requirements for

scheduling under federal law in that they have a high potential for abuse, have no currently accepted medical use in treatment in the United States, and lack accepted safety for use under medical supervision.

After discussion, **Mr. Lutz moved, seconded by Mr. Batts, to adopt the final temporary scheduling of Quinolin-8-yl 1- pentyl-1H-indole-3-carboxylate (PB-22; QUPIC) quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22; N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA); and N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA), substances as defined in the Board package and Federal Register Volume 79, Number 27, pp. 7577-7582, and amend Section 44-53-190 by adding and designating the same substances into Schedule I of the South Carolina Controlled Substances Act. The Board voted and Motion carried.** (Attachment 1-2)

Chairman Amsler adjourned the meeting.

All referenced attachments are made a permanent part of these minutes.

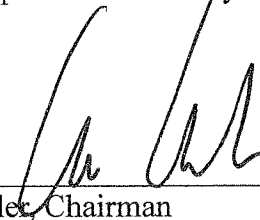
Respectfully submitted,



Ann B. Kirol, DDS, Secretary

Minutes approved this 8th day of May 2014.

ATTEST:



Allen Amsler, Chairman

Attachments

- 0-1 Agenda
- 0-2 Attendance Roster
- 1-1 Placement of Four Synthetic Cannabinoids into Schedule I for Controlled Substances
- 1-2 Board Order

