

**NOTICE OF ADOPTION OF EMERGENCY RULE; REASONS FOR ADOPTING OF AN EMERGENCY RULE TO THE GEORGIA STATE BOARD OF PHARMACY RULES CHAPTER 480-34, RULES 480-34-.04 SYNTHETIC CANNABINOIDS**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Pharmacy (hereinafter "Board") is adopting an emergency rule to the Georgia Board of Pharmacy Rules, Chapter 480-34, Rule 480-38.04 (hereinafter "emergency rule").

This emergency rule will be adopted under the authority of O.C.G.A. § 50-13-4 (b). This rule will be adopted to protect the health, safety, and/or welfare of the citizens of the State of Georgia. Under O.C.G.A. § 50-13-4 (b), a board may proceed to adopt a rule with less than thirty (30) days of notice, with such rule being effective for no longer than one hundred and twenty (120) days, so long as the reasons for the aforementioned rule are stated in writing.

This emergency rule classifies newly discovered compounds of synthetic cannabinoids as Schedule I substances under the Georgia Controlled Substances Act (O.C.G.A. § 16-13-25(12)).

The stated reason for the adoption of this rule is as follows:

The Georgia Bureau of Investigation has determined that synthetic cannabinoids is now appearing throughout Georgia at an increased level. Documented Poison Center reports show that users of synthetic cannabinoids can experience symptoms that include, but are not limited to, the following: altered mental status, lethargy, short-term coma, seizures, and psychosis.

Previously, during the 2010 Legislative Session, the Legislature banned all forms of synthetic cannabinoids as Schedule I substances in the State of Georgia. However, manufacturers altered their formulas to bypass the effectiveness of the law. During the 2012 Legislative Session, the Legislature revisited this issue and passed a more inclusive law, SB 370 ("Chase's Law"), which covered all variations of the chemical compounds within the synthetic cannabinoid products. However, manufacturers have now begun changing the molecular structure of the drug altogether in order to circumvent the current law.

The Georgia Bureau of Investigation has determined that synthetic cannabinoids manufactured using these new molecular structures have begun appearing in Georgia. In addition, the Georgia Bureau of Investigation has been able to identify these new molecular structures comprising these new versions of synthetic cannabinoids.

In order to protect the general health, safety, and welfare of the citizens of the State of Georgia, an emergency rule is being adopted to immediately classify these new molecular structures as Class I substances under the Georgia Controlled Substances Act.

The proposed emergency rule will be considered for adoption by the Georgia State Board of Pharmacy at a conference call scheduled to begin at 3:30 p.m. on June 11, 2012, at the Office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Pharmacy has the authority to adopt the proposed rules pursuant to authority contained in O.C.G.A Secs. 16-13-22, 26-4-28, and 50-13-4.

This notice, together with an exact copy of the adopted emergency rule and a synopsis of the emergency rule, is being forwarded to all persons and/or parties who have requested in writing that they be placed on the interested parties list. A copy of this notice, an exact copy of the emergency rule, and a synopsis of the emergency rule may be reviewed during normal business hours (8:00 a.m. to 5:00 p.m., Monday- Friday, with the exception of State Holidays) at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia State Board of Pharmacy's web page at [www.sos.ga.gov/plb/pharmacy/](http://www.sos.ga.gov/plb/pharmacy/). Copies may also be requested by contacting the Board office at (478) 207-2440.

For further information, please contact the Board office at (478) 207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4 (b) of the Georgia Administrative Procedures Act.

This 11<sup>th</sup> day of June, 2012.

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LISA W. DURDEN,  
Division Director,  
Professional Licensing Boards Division

POSTED: June, 11, 2012

**SYNOPSIS OF EMERGENCY RULE OF THE GEORGIA STATE BOARD OF  
PHARMACY RULES CHAPTER 480-34, RULE 480-38-.04**

Purpose of Rule: The purpose of this rule is to protect the health, safety, and welfare of the public.

Main Features: The main feature of this rule is to identify new compounds of Synthetic Cannabinoids as Schedule I substances under the Georgia Controlled Substances Act.

**FULL TEXT OF EMERGENCY RULE FOR THE GEORGIA BOARD OF  
PHARMACY RULES CHAPTER 480-34, RULE 480-38.04**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

**480-34-.04 Synthetic Cannabinoids.**

(a) This rule was adopted to protect the health, safety, and welfare of the public. This rule places newly identified compounds, collectively known as Synthetic Cannabinoids, under Schedule I, of the Georgia Controlled Substances Act, Code Section 16-13-25 (12) as follows:

(M) (1-Pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl) methanone (UR-144)

(N) [1-(5-fluoropentyl)indole-3yl]-(2,2,3,3-tetramethylcyclopropyl) methanone (XLR11)

(O) [1,1'-biphenyl]-3-yl-carbamic acid, cyclohexyl ester (URB602)

(P) [1-(2-morpholin-4-ylethyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl) methanone (A-796,260)

(Q) [3-(3-carbamoylphenyl)phenyl] N-cyclohexylcarbamate (URB597).

(b) This rule is based on the following findings of the Board:

(1) that Synthetic Cannabinoids have an extremely high potential for abuse;

(2) that scientific evidence and scientific knowledge of the pharmacological effects of these compounds demonstrate that the public is at extreme risk if they are not regulated as controlled substances;

(3) that the pattern of abuse of these compounds and the scope and significance of that abuse support regulation;

(4) that there exists an imminent peril to the public health and welfare with regard to the abuse of these compounds;

(5) that these compounds have the same risk to the public health of citizens of the State of Georgia as other substances already contained in Schedule I under the Controlled Substances Act;

(6) that these compounds have no known precursor already scheduled under the Act;  
and

(7) that the DEA encourages all states to add these compounds to their respective Controlled Substances Acts while DEA follows its procedures to add such compounds to the Federal Controlled Substances Act under Schedule I.

Authority O.C.G.A. Secs. 16-13-22, 26-4-28, and 50-13-4.