

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.7203 Findings; rule controlling substance; imminent danger; extension of emergency rule; substance as precursor of controlled precursor.

Sec. 7203. (1) After considering the factors enumerated in section 7202(1), the administrator shall make findings with respect to those factors and promulgate a rule controlling the substance if the administrator finds the substance has a potential for abuse.

(2) If the administrator is notified in writing by the director of the department of community health under section 2251 that a substance constitutes an imminent danger as defined in that section, the administrator shall consider the factors enumerated in section 7202(1) and (2) and make findings with respect to those factors and may do either or both of the following:

(a) Proceed under section 48(2) of the administrative procedures act of 1969, 1969 PA 306, MCL 28.248, to schedule or reschedule the substance as a controlled substance by emergency rule.

(b) Initiate and pursue the process to promulgate a rule controlling the substance.

(3) The administrator may extend an emergency rule processed under subsection (2)(a) by filing a certificate of extension with the office of secretary of state before the expiration of the emergency rule as provided in section 48(2) of the administrative procedures act of 1969.

(4) If the administrator designates a substance as an immediate precursor, a substance that is a precursor of the controlled precursor is not subject to control solely because it is a precursor of the controlled precursor.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2012, Act 182, Imd. Eff. June 19, 2012.

Popular name: Act 368