NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** EUROPEAN UNION**If applicable, name of local government involved (Article 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** European Commission**Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** European Commission,EU-TBT Enquiry Point,Fax: +(32) 2 299 80 43,E-mail: grow-eu-tbt@ec.europa.euWebsite: <http://ec.europa.eu/growth/tools-databases/tbt/en/> |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Chemical substances classified as drug precursors |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Commission Delegated Regulation amending Regulation (EC) No 273/2004 of the European Parliament and of the Council and Council Regulation (EC) No 111/2005 as regards the inclusion of certain drug precursors in the list of scheduled substances; (7 page(s), in English), (3 page(s), in English) |
| **6.** | **Description of content:** This draft Commission Regulation adds 4-AP, 1-boc-4-AP, norfentanyl, DEPAPD and PMK ethyl glycidate to Category 1 of the list of scheduled substances in Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors.Operators engaged in import, export or intermediary activities involving scheduled substances listed in Category 1 of the Annex have the obligation to hold a licence. Special labelling requirements apply for any packaging containing these substances according to Article 5 of the Regulation. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** 4-AP is a substitute chemical for N-phenethyl-4-piperidone (NPP) to synthesize 4-anilino-N phenethylpiperidine (ANPP), which itself is an immediate precursor for the manufacture of fentanyl and some of its analogues.1-boc-4-AP is a chemically protected derivative of 4-AP, which could be converted to 4-AP, norfentanyl or a number of norfentanyl analogues.Norfentanyl is an immediate precursor of fentanyl and a number of fentanyl analogues.DEPAPD is used to produce 1-Phenyl-2-propanone (P-2-P), also known as benzyl methyl ketone (BMK). BMK is a precursor of amphetamine and methamphetamine.PMK ethyl glycidate is a precursor of 3,4-Methylenedioxyphenyl propan-2-one (PMK), which, in its turn, is used to produce 3,4-methylenedioxymethamphetamine (MDMA), commonly known as 'ecstasy'. The use of the drugs: fentanyl, amphetamine, methamphetamine and ecstasy, is causing serious social and public health problems in some regions of the Union. As there is no known legal use for 4-AP, 1-boc-4-AP, norfentanyl, DEPAPD and PMK ethyl glycidate except for research purposes, their inclusion in Category 1 of drug precursors in Regulation (EC) No 111/2005 is appropriate to address those risks, and any additional restriction on trade is justified by the objectives pursued. ; Protection of human health or safety |
| **8.** | **Relevant documents:** Article 12 of the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 19.12.1988;Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Union and third countries in drug precursors.<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1426599802066&uri=CELEX:32005R0111> |
| **9.** | **Proposed date of adoption:** Autumn 2022**Proposed date of entry into force:** The provisions will enter into force and apply 20 days after their publication in the Official Journal of the EU. Given that no legal use for above mentioned substances except research is known, no transitional period is envisaged. |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [****]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:** European Commission,EU-TBT Enquiry Point,Fax: + (32) 2 299 80 43,E-mail: grow-eu-tbt@ec.europa.euThe text is available on the EU-TBT Website : <http://ec.europa.eu/growth/tools-databases/tbt/en/><https://members.wto.org/crnattachments/2022/TBT/EEC/22_6034_00_e.pdf><https://members.wto.org/crnattachments/2022/TBT/EEC/22_6034_01_e.pdf> |