



NEWS RELEASE from the EU drugs agency in Lisbon

FRESH LEGISLATION PROPOSED TO ADDRESS NEW PSYCHOACTIVE SUBSTANCES

EMCDDA welcomes European Commission call for stronger EU action on new drugs

(17.9.2013, LISBON) The **EU drugs agency (EMCDDA)** welcomes the **European Commission's** proposal today to strengthen the EU's response to new psychoactive substances ('new drugs')⁽¹⁾. The proposal follows an unprecedented rise in the number of new drugs detected in Europe in recent years and a Commission review of the EU's current legal mechanism for monitoring and acting on these new substances ⁽²⁾.

With the aim of building on the strengths of the current mechanism, addressing its shortcomings and speeding up common EU responses, the Commission proposes a:

- Regulation on new psychoactive substances, repealing and replacing Council Decision 2005/387/JHA of 10 May 2005 on the monitoring, risk assessment and control of new psychoactive substances; and a
- Directive amending Council Framework Decision 2004/757/JHA of 25 October 2004 laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking ⁽³⁾.

Before becoming law, the Commission proposals will need to be adopted by the European Parliament and by the Council of the European Union.

'It is widely recognised that the current EU early-warning system, implemented by the EMCDDA and Europol, has provided Europe with a globally unique tool to keep pace with the new drugs phenomenon', says **EMCDDA Director Wolfgang Götz**. 'Nevertheless, the unprecedented rise in the number, type and availability of new drugs in recent years clearly requires us to strengthen further our early-warning and response capacity. We warmly welcome the European Commission's call today for stronger action on new drugs, which we see as both timely and important. The EMCDDA remains committed to working with the Commission, Europol and the Member States to rise to what has become a policy challenge of major international concern.'

The **EU early-warning system (EWS)**, which operates under the existing legislation, currently monitors over 300 new psychoactive substances. 73 new psychoactive substances were detected in the EU in 2012, significantly up from 49 in 2011 and 41 in 2010 ⁽⁴⁾. This rise has been driven by technological advancement and globalisation, with the internet playing a significant role. A thriving 'legal highs' market, both online and in 'head shops' in urban areas, has marked a fundamental shift in the drug market.

'Monitoring new drugs is not only about counting numbers, but also about identifying and understanding the harms they can cause and ensuring that prompt action is taken to protect public health when required', says **Götz**.

The harms associated with some of these substances have been significant, including deaths reported in some cases (e.g. 5-IT and 4-MA)⁽⁵⁾. The relative ease with which new drugs can be obtained, our lack of understanding of their health consequences and the ability of producers to react quickly to control measures make them a growing challenge to public health, law enforcement and drug policymaking.

The **EMCDDA** and **Europol** — with the support of the **European Medicines Agency (EMA)** and the **European Commission** — have been working together since 1997 to monitor the appearance of new drugs and the extent of their diffusion on the European drug scene. The first (1997), and the existing (2005), legislative frameworks ⁽⁶⁾ have allowed the partners to develop an advanced early-warning system for

monitoring new drugs and a structure for performing scientific risk assessments. Importantly, it has also provided the EU with a mechanism to react promptly when necessary to this challenge. In total, 13 risk assessments have been conducted under the system, leading to the introduction of control measures across the EU in nine cases ⁽⁷⁾.

Notes

⁽¹⁾ A group of synthetic, semi-synthetic or natural compounds, often advertised and sold as 'legal highs' — legal alternatives to illicit drugs. They are often mislabelled and sold as plant food, bath salts, or research chemicals, to circumvent laws on the protection of consumers.

⁽²⁾ The current system was set up in 2005: Council Decision 2005/387/JHA on the monitoring, risk assessment and control of new psychoactive substances. For more, see: www.emcdda.europa.eu/activities/action-on-new-drugs

⁽³⁾ For more, see European Commission press items: [IP/13/837](http://ec.europa.eu/rapid/press-release_IP-13-837_en.htm) and [MEMO/13/790](http://ec.europa.eu/rapid/press-release_MEMO-13-790_en.htm).

⁽⁴⁾ See www.emcdda.europa.eu/publications/implementation-reports/2012

⁽⁵⁾ The substance 5-IT, recently recommended for control at EU level, was associated with 24 deaths in four EU countries between April and August 2012. 4-MA, a substance which imitates amphetamine, was associated with 21 deaths in four EU countries in 2010–12 alone (www.emcdda.europa.eu/news/2013/2).

⁽⁶⁾ Joint action on new synthetic drugs (16 June 1997); Council Decision (2005/387/JHA) (10 May 2005).

⁽⁷⁾ 4-MTA, PMMA, 2C-I, 2C-T-2, 2C-T-7, TMA-2, BZP, 4-MMC and 4-MA were subject to control measures across the EU. MBDB and ketamine were subject to active monitoring. GHB was controlled under the international drug control system. A proposal has been made by the European Commission to subject 5-IT to control measures across the EU.

For more, see European Commission news release: http://europa.eu/rapid/press-release_IP-13-604_en.htm?locale=en and www.emcdda.europa.eu/publications/risk-assessments