

# Subjecting 4-methyl-5-(4-methylphenyl)-4,5-dihydrooxazol-2-amine (4,4'-DMAR) and 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45) to control measures

2014/0340(NLE) - 30/06/2015 - Legislative proposal

**PURPOSE:** to subject 4-methyl-5-(4methylphenyl)-4,5-dihydrooxazol-2-amine (4,4'-DMAR) and 1-cyclohexyl-4(1,2-diphenylethyl)piperazine (MT-45) to control measures.

**PROPOSED ACT:** Implementing Council Decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

**BACKGROUND:** in compliance with [Council Decision 2005/387/JHA](#) on the information exchange, risk-assessment and control of new psychoactive substances, the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) assessed the risks on the new psychoactive substance **4,4'-DMAR and MT-45**. The risk assessment reports were submitted to the Commission and to the Council on 19 September 2014.

**(1) 4,4'-DMAR** is a synthetic substituted oxazoline derivative. It is a derivative of aminorex and 4-methylaminorex (4-MAR), two synthetic stimulants controlled under the 1971 United Nations Convention on Psychotropic Substances.

4,4'-DMAR has been available on the drugs market in the Union since at least December 2012 and was notified to the Early Warning System in December 2012. Nine Member States have reported detections. It emerged on the new psychoactive substances market as a 'research chemical' sold by internet retailers, and it is now available on the street market. 4,4'-DMAR is being sold and consumed as a substance on its own, but it has also been mis-sold on the illicit market as ecstasy and amphetamines.

There have been **31 deaths** associated with 4,4'-DMAR registered in three Member States, between June 2013 and June 2014.

Three Member States control 4,4'-DMAR under national legislation and five Member States use other legislative measures to control it.

**(2) MT-45** is one of a series of 1-(1,2-diphenylethyl)piperazine analgesics invented in the early 1970s. It has been present on the drugs market in the Union since October 2013, where it is sold as a 'research chemical', mostly on the internet.

One Member State controls MT-45 under national legislation and seven Member States use other legislative measures to control it. A total of **28 fatalities** occurring between November 2013 and July 2014 have been reported by one Member State. There are several studies in animals indicating that the acute toxicity of MT-45 is several fold higher than that of morphine. The substance appears to be mostly used in the home environment either by users willing to try a new substance or by opioid dependent users with no access to heroin or any other opioid.

**The Risk Assessment Reports** reveal that there is limited scientific evidence available on 4,4'-DMAR and MT-45 and pointed out that further research would be needed to determine the health and social risks that they pose.

However, the evidence and information currently available provides sufficient grounds for subjecting MT-45 to control measures across the Union. As a result of the health risks that it poses, as documented by its detection in several fatalities, and of the lack of medical value of this substance, MT-45 should be subjected to control measures.

**CONTENT:** this proposal aims to invite the Member States to **subject 4,4'-DMAR and MT-45 to control measures across the Union.**

By one year from the date of publication of this Decision, Member States shall take the necessary measures, in accordance with their national law, to subject the new psychoactive substances to **control measures and criminal penalties**, as provided for under their legislation complying with their obligations under the 1961 United Nations Single Convention on Narcotic Drugs and/or under the 1971 United Nations Convention on Psychotropic Substances.

The United Kingdom shall not take part in the adoption of this Decision and is not bound by it or subject to its application.