

Subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures

2014/0183(NLE) - 30/06/2015 - Legislative proposal

PURPOSE: to subject 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) 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 substances **25I-NBOMe, AH-7921, MDPV and methoxetamine**. The risk assessment reports were submitted to the Commission and to the Council on 23 April 2014.

(1) **25I-NBOMe** is a potent synthetic derivative of 2,5-dimethoxy-4-iodophenethylamine (2C-I), a classical serotonergic hallucinogen, which was subject to risk assessment and to control measures and criminal sanctions at Union level from 2003 by virtue of Council Decision 2003/847/JHA. Twenty-two Member States and Norway have reported to the EMCDDA and to the European Police Office (Europol) that they reported detection of 25I-NBOMe. There have been **four deaths** associated with 25I-NBOMe registered in three Member States. Severe toxicity associated with its use has been reported in four Member States, which notified 32 non-fatal intoxications. 25I-NBOMe is openly marketed and sold on the internet as a 'research chemical' and information obtained from seizures, collected samples, user websites and internet retailers suggests that it is being sold as a drug in its own right and also marketed as a 'legal' replacement for LSD. Six Member States control 25I-NBOMe under national legislation and seven Member States use other legislative measures to control it.

(2) **AH-7921** is a structurally atypical synthetic opioid analgesic commonly known by internet suppliers, user websites and media as 'doxylam'. It can be easily confused with 'doxylamine', an antihistaminic medicine with sedative-hypnotic properties, which could lead to unintentional overdoses. Based on user reports, the effects of AH-7921 appear to resemble those of classical opioids. Some of the users report self-medicating with this new drug to relieve pain.

15 fatalities were recorded in three Member States between December 2012 and September 2013 where AH-7921, alone or in combination with other substances, was detected in post-mortem samples. One Member State reported **six non-fatal intoxications** associated with AH-7921. One Member State controls AH-7921 under national legislation and five Member States use other legislative measures to control it.

(3) MDPV is a ring-substituted synthetic derivative of cathinone chemically related to pyrovalerone, which are both subject to control under the 1971 United Nations Convention on Psychotropic Substances. The psychopharmacological profile observed for MDPV is similar to that for cocaine and methamphetamine, albeit more potent and longer lasting. **Acute toxicity** can provoke adverse effects on humans.

MDPV has been present on the Union drug market since November 2008 and 27 Member States, Norway and Turkey have reported multi-kilogram seizures of the substance. MDPV is being sold as a substance in its own right, but it has also been detected in combination with other substances. It is widely available from internet suppliers and retailers, 'head shops' and street-level dealers.

108 fatalities were registered in eight Member States and Norway between September 2009 and August 2013, where MDPV has been detected in post-mortem biological samples or implicated in the cause of death. A total of **525 non-fatal intoxications** associated with MDPV have been reported by eight Member States.

21 Member States control MDPV under national legislation and four Member States use other legislative measures to control it.

(4) Methoxetamine is an arylcyclohexylamine substance which is chemically similar to ketamine and the internationally-controlled substance phencyclidine (PCP). Self-reported experiences from user websites suggest adverse effects similar to ketamine intoxication.

Twenty-three Member States, Turkey and Norway have reported that they reported detection of methoxetamine, since November 2010. Information suggests that it is sold and used as a substance in its own right, and that it is also sold as a 'legal' replacement for ketamine by internet retailers.

Twenty deaths associated with methoxetamine have been reported by six Member States that detected the substance in post-mortem samples. Used alone or in combination with other substances, methoxetamine was detected in **20 non-fatal intoxications** reported by five Member States. Nine Member States control methoxetamine under national legislation and nine other Member States use other legislative measures to control it.

The Risk Assessment Report reveals that further research would be needed to determine the health and social risks posed by methoxetamine. However, the available evidence and information provides sufficient grounds for subjecting methoxetamine to control measures across the Union. As a result of the health risks that it poses, as documented by its detection in several reported fatalities, of the fact that users may unknowingly consume it, and of the lack of medical value or use, methoxetamine should be subjected to control measures across the Union.

CONTENT: this proposal aims to invite the Member States to **subject 25I-NBOMe, AH-7921, MDPV and methoxetamine to control measures across the Union.**

[Decision 2014/688/EU](#) ceases to produce effects from the date of entry into force of this Decision, without prejudice to the obligations of the Member States relating to the time limit for subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylpyrovalerone (MDPV) and 2-(3-

methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures and criminal penalties in their national laws.

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