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) - 08/10/2015 - Final act

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.

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2015/1873 on 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.

CONTENT: the Council adopted an **implementing decision** on subjecting the new psychoactive substance 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 across the Union:

- **4,4-DMAR**, a synthetic substituted oxazoline derivative, sold and consumed as a substance on its own, but it has also been mis-sold on the illicit market as ecstasy and amphetamines;
- **MT-45** is one of a series of 1-(1,2-diphenylethyl)piperazine analgesics invented in the early 1970s and has been present on the drugs market in the Union since October 2013.

The implementing Decision implements Decision 2005/387/JHA that confers upon the Council implementing powers with a view to giving a quick and expertise-based response at Union level to the emergence of new psychoactive substances detected and reported by the Member States, by subjecting those substances to control measures across the Union.

A risk assessment report on the new psychoactive substance 4-methyl-5-(4-methylphenyl)-4,5-dihydrooxazol-2-amine (4,4-DMAR) was drawn up in accordance with Decision 2005/387/JHA by a special session of the extended Scientific Committee of the **European Monitoring Centre for Drugs and Drug Addiction** (EMCDDA).

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, 5-(2-aminopropyl)indole should be subjected to control measures across the Union.

By 21 October 2016, Member States shall take the necessary measures, in accordance with their national law, to subject the new psychoactive substances referred to in Article 1 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 is not bound by Decision 2005/387/JHA and is therefore not taking part in the adoption of this Decision, which implements Decision 2005/387/JHA, and is not bound by it or subject to its application.

ENTRY INTO FORCE: 21.10.2015.