Subjecting the new psychoactive substance methyl 2-[[1-(cyclohexylmethyl)-1Hindole-3-carbonyl]amino]-3,3-dimethylbutanoate (MDMB-CHMICA) to control measures

2016/0262(NLE) - 27/09/2016 - Legislative proposal

PURPOSE: to subject methyl 2-[[1- (cyclohexylmethyl)-1H-indole-3-carbonyl]amino]-3,3-dimethylbutanoate (MDMB-CHMICA) to control measures.

PROPOSED ACT: Council Implementing Decision.

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

BACKGROUND: a risk-assessment report on the new psychoactive substance MDMB-CHMICA 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, and was subsequently submitted to the Commission and to the Council on 28 July 2016.

MDMB-CHMICA is classed as a **synthetic cannabinoid receptor agonist**. Cannabinoid receptor agonists are controlled under the 1971 United Nations Convention on Psychotropic Substances. MDMB-CHMICA has been available on the drug market in the Union since at least August 2014 and has been detected in 23 Member States.

Eight Member States have reported a total of 28 deaths and 25 acute intoxications where

MDMB-CHMICA was detected.

Multiple reports have indicated a possibility for violence and aggression as a consequence of its use. In addition, the detection of MDMB-CHMICA in cases of suspected driving under influence indicated a potential for wider risk to public safety. MDMB-CHMICA has no established or acknowledged human or veterinary medical use.

The risk-assessment report reveals that there is limited scientific evidence available on MDMB-CHMICA and points out that further research would be needed. However, the available evidence and information on the health and social risks that the substance poses provide sufficient grounds for subjecting MDMB-CHMICA to control measures across the Union.

CONTENT: the draft Council implementing decision aims to **subject MDMB-CHMICA to control measures throughout the EU.**

Ten Member States control MDMB-CHMICA under national legislation in compliance with their obligations under the 1971 United Nations Convention on Psychotropic Substances, and five Member States use other legislative measures to control it.

Subjecting this substance to control measures across the Union would help avoid the emergence of obstacles in cross-border law enforcement and judicial cooperation, and would help protect from the risks that its availability and use could pose.

For further details, please refer to the Commission's initial legislative proposal of 31.8.2016.