Subjecting the new psychoactive substance 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (CUMYL-4CN-BINACA) to control measures

2017/0344(NLE) - 02/02/2018 - Legislative proposal

PURPOSE: to subject the new psychoactive substance 1-(4-cyanobutyl)-N-(2-phenylpropan-2yl)-1H-indazole-3-carboxamide (CUMYL-4CN-BINACA) to control measures.

PROPOSED ACT: Council Implementing 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: the risk assessment report on CUMYL-4CN-BINACAprepared by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and sent to the Commission and the Council on 14 November 2017 concludes that this substance - available in the Union since October 2015 and detected in 11 Member States - is a **synthetic cannabinoid** with similar effects to those of THC, but with additional life-threatening toxicity.

The substance is typically sold in small and wholesale amounts in head shops, sold as a legal high, as smoking mixtures or as powder, as well as on the internet, branded as a legal replacement for cannabis. It has no recognised human or veterinary medical use in the Union.

Two Member States have reported **11 deaths** associated with CUMYL-4CN-BINACA. In addition, two Member States reported **five acute non-fatal intoxications** associated with CUMYL-4CN-BINACA.

The available evidence and information on the **health and social risks** that the substance poses provides sufficient grounds for subjecting CUMYL-4CN-BINACA to control measures across the Union.

CONTENT: the draft Council decision aims to **subject the new psychoactive substance CUMYL-4CN-BINACA to the control measures** and criminal penalties provided for by Member States ‘legislation, in accordance with their obligations under the United Nations Single Convention on Narcotic Drugs of 1971.

For more details, see the summary of the Commission's initial legislative proposal dated 18.12.2017.