Subjecting the new psychoactive substances N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] cyclopropanecarboxamide (cyclopropylfentanyl) and 2-methoxy-N-phenyl-N-[1-(2-phenylethyl) piperidin-4-yl]acetamide (methoxyacetylfentanyl) to control measures

2018/0118(NLE) - 30/04/2018 - Initial legislative proposal

PURPOSE: to subject the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin4-yl] cyclopropanecarboxamide (cyclopropylfentanyl) and 2-methoxy-N-phenyl-N-[1-(2phenylethyl)piperidin-4-yl]acetamide (methoxyacetylfentanyl) 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 risks of cyclopropylfentanyl and methoxyacetylfentanyl were assessed by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and submitted to the Commission and to the Council on 23 March 2018.

They are both **synthetic opioids** and are structurally related to fentanyl, a controlled substance widely used in medicine as an adjunct to general anaesthesia during surgery and for pain management. The acute toxicity of cyclopropylfentanyl and methoxyacetylfentanyl are such that it can cause severe harms to the health of individuals.

Cyclopropylfentanyl has been available in the Union since at least June 2017 and has been detected in six Member States who reported 140 seizures in total between June 2017 and January 2018. 77 deaths have been reported by two Member States where exposure to cyclopropylfentanyl was confirmed.

Methoxyacetylfentanyl has been available in the Union since at least November 2016 and has been detected in eleven Member States who reported 44 seizures in total between June and December 2017. 13 deaths have been reported by four Member States where exposure to methoxyacetylfentanyl was confirmed.

Both cyclopropylfentanyl and methoxyacetylfentanyl appear to be sold online in small and wholesale amounts, under the guise of a "research chemical" or as "legal" replacement to illicit opioids, mainly as a powder or as a solution in ready-to-use nasal sprays.

The available evidence and information on the **health and social risks** that the substances pose, given also their similarities with fentanyl, provides sufficient ground for subjecting cyclopropylfentanyl and methoxyacetylfentanyl to control measures across the Union.

CONTENT: the draft Council decision aims to subject the new psychoactive substances cyclopropylfentanyl and methoxyacetylfentanyl) to control measures and criminal penalties, as provided

for under their legislation, in compliance with their obligations under the 1961 United Nations Single Convention on Narcotic Drugs as amended by the 1972 Protocol.