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) - 14/05/2018 - Final act

PURPOSE: to subject the new psychoactive substance CUMYL-4CN-BINACA to control measures.

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2018/748 on subjecting the new psychoactive substance 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (CUMYL-4CN-BINACA) to control measures.

CONTENT: the purpose of this Council's implementing decision is to **subject the new psychoactive substance CUMYL-4CN-BINACA to control measures throughout the Union**.

The risk assessment report drawn up under Decision 2005/387/JHA by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and forwarded to the Commission and the Council on 14 November 2017 concludes that this psychoactive substance detected in 11 Member States is a **synthetic cannabinoid** with similar effects to THC, which is responsible for the main psychoactive effects of cannabis, but whose toxicity is potentially fatal. It is produced by chemical companies in China.

11 deaths associated with CUMYL-4CN-BINACA have been reported by two Member States. In the case of at least five of those deaths CUMYL-4CN-BINACA was the cause of death or was likely to have contributed to the death. In addition, five acute non-fatal intoxications associated with CUMYL-4CN-BINACA were reported by two Member States.

Currently, nine Member States control CUMYL-4CN-BINACA under national drug control legislation and five Member States control it under other legislation.

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.

By 23 May 2019, Member States shall take the necessary measures, in accordance with their national law, to subject CUMYL-4CN-BINACA to control measures and criminal penalties, as provided for under their legislation, in compliance with their obligations under the 1971 United Nations Convention on Psychotropic Substances.

The United Kingdom is not bound by this Decision.

ENTRY INTO FORCE: 23.5.2018.