Basic information

2000/0826(CNS) CNS - Consultation procedure Decision	Procedure completed
Fight against drugs: transmission of samples of illegal narcotic substances. Initiative Sweden **Subject** 7.30.05 Police cooperation 7.30.30.04 Action to combat drugs and drug-trafficking	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	CEDERSCHIÖLD Charlotte (PPE-DE)	16/01/2001
Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Justice and Home Affairs (JHA)	2350	2001-05-28

Key events

Date	Event	Reference	Summary
18/12/2000	Legislative proposal published	14008/2000	Summary
15/01/2001	Committee referral announced in Parliament		
11/04/2001	Vote in committee		
11/04/2001	Committee report tabled for plenary, 1st reading/single reading	A5-0121/2001	
02/05/2001	Debate in Parliament		
03/05/2001	Decision by Parliament	T5-0227/2001	Summary
28/05/2001	Act adopted by Council after consultation of Parliament		
28/05/2001	End of procedure in Parliament		
06/06/2001	Final act published in Official Journal		

Technical information

Procedure reference	2000/0826(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Decision
Legal basis	Treaty on European Union (after Amsterdam) M 039-p1
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0121/2001	11/04/2001	
Text adopted by Parliament, 1st reading/single reading		T5-0227/2001 OJ C 027 31.01.2002, p. 0021-0067 E	03/05/2001	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	14008/2000 OJ C 010 12.01.2001, p. 0004	18/12/2000	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(2000)0737	16/11/2000	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2001/0419
OJ L 150 06.06.2001, p. 0001 Summary

Fight against drugs: transmission of samples of illegal narcotic substances. Initiative Sweden

2000/0826(CNS) - 16/11/2000 - Document attached to the procedure

This document presents the report from the Commission to the Council called for by the Joint Action on New Synthetic Drugs (97/396/JAI) concerning Ketamine. The Joint Action provides that the Commission should present a new initiative to the Council with a view to submitting ketamine to control measures, in particular those new sythetic drugs which are not currently listed in any of the Schedules to the 1971 United Nations Convention on

Psychotropic Substances. Ketamine is used as an anaesthetic and analgesic and it has a unique therapeutic value in veterinary practice and value also in human medicine. Ketamine is used as a mdeecine in nearly all Member States and is subject to the medecine legislation. It can legally be sold only to authorised people (eg. Pharmacists). Ketamine is also used in recreational settings. In illicit use, an important factor of health risk is the lack of reliable indication of dose and the mixture with other substances accompanying sales of ketamine at street level. In some Member States, ketamine tablets are sold as ecstasy. The main effects of ketamine are anxiety, agitation, changes in perception and the analgesic effects. In such condition, the user may be at risk of injury. Ketamine is contraindicated in patients with significant ischaemic heart disease and is to be avoided in those with a history of high blood pressure or cerebrovascular disorders. At present, there is no evidence that ketamine causes an abstinence syndrome in human beings. Basing itself solely on the risk assessment report on ketamine and the principle of proportionality, the Commission concludes that it is not appropriate to present an initiative to the Council to propose that Ketamine be submitted to control measures at EU level. However, the Commission will suggest that possible improvements in the control of diversion be discussed with the chemical and pharmaceutical industry, bearing in mind the importance of ensuring the continued availability of ketamine for medical and veterinary use. On the other hand, the Commission will encourage the EMCDDA and Europol to continue monitoring the trends in recreational ketamine use as part of the early warning system provided for by the Joint Action. The Commission should take into account the outcome of the risk assessment of ketamine when it organises the assessment of the Joint Action on New Synthetic Drugs called for in the EU Acton Plan on Drugs (2000-2004).

Fight against drugs: transmission of samples of illegal narcotic substances. Initiative Sweden

2000/0826(CNS) - 03/05/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament endorsed the report by Mrs Charlotte CEDERSCHIÖld (EPP/ED, S) on the Swedish initiative with a view to the adoption of a JHA Council decision on the transmission of samples of illegal narcotic substances. (Please refer to the previous document).

Fight against drugs: transmission of samples of illegal narcotic substances. Initiative Sweden

2000/0826(CNS) - 28/05/2001 - Final act

PURPOSE : to allow for the legal transmission of samples of controlled substances. COMMUNITY MEASURE : Council Decision 2001/419/JHA on the transmission of samples of controlled substances. CONTENT : the fight against the illicit production and trafficking of drugs is a matter of common concern for law enforcement and justice authorities in the Member States. The possibility of transmitting samples of seized controlled substances between the authorities of the Member States for the purpose of detection, investigation and prosecution of criminal offences or for the forensic analysis of samples would increase the effectiveness of the fight against illicit production and trafficking of drugs. At present no legally binding rules exist regulating the transmission of seized controlled narcotic substance samples between the authorities of the Member States. This Decision has been adopted as it establishes a system for the transmission between Member States of samples of controlled substances. In addition, each Member State shall designate a national contact point for the purposes of implementing this Decision. The national contact points shall, if appropriate in association with other relevant national bodies, be the sole bodies competent for authorising the transmission of samples uner this Decision, notwithstanding relevant provisions on mutual legal assistance in criminal matters. The national contact point of the Member State intending to send a sample and the national contact point of the Member State intended to receive a sample shall agree on the transport before the transmission takes place. For this purpose they shall make use of the Sample Transmission Form. The receiving Member States shall acknowledge to the sending Member State the receipt of the sample. Lastly, this Decision shall be subject to evaluation within the Council after at least two and no more than five years after its entry into force. For the purpose of the evaluation the national contact point of each sending Member State shall hold in its archives a copy of every Sample Transmission Form issued during at least the previous five years. ENTRY INTO FORCE : this Decision shall take effect on 1 July 2001.

Fight against drugs: transmission of samples of illegal narcotic substances. Initiative Sweden

2000/0826(CNS) - 18/12/2000 - Legislative proposal

PURPOSE : to present the Initiative of the Kingdom of Sweden with a view to the adoption of a Council Decision on the transmission of samples of illegal narcotic substances. CONTENT : the possibility of legally transmitting samples of seized illegal narcotic substances between the authorities of the Member States for the purpose of prevention, detection, investigation and prosecution of criminal offences would increase the effectiveness of the fight against drugs. At present no legally binding rules exist regulating the legal transmission of seized illegal narcotic substance samples between the authorities of the Member States. Therefore, it is proposed that a system should be created at European Union level to allow for the legal transmission of such samples. The system should apply to all forms of transmission of samples of seized illegal narcotic substances between Member States. Transmission should be based on agreement between the sending and the receiving Member State, together with information to the other Member States whose territory is involved. Moreover, national contact points shall be set up for the purposes of implementing this Decision. These bodies shall be the sole bodies competent for authorising the transmission of samples under this Decision. The national contact point of the Member State intending to send a sample and the national contact point of the Member State intended to receive a sample shall agree on the method of transport. For this purpose they shall make use of the Sample Transmission Form set out in the Annex. Lastly, the Member States sending and receiving the sample shall decided on the means of transport. It is necessary that the means of transport be sufficiently secure.