

Basic information	
<p><b>2014/0183(NLE)</b></p> <p>NLE - Non-legislative enactments Decision</p>	Procedure completed
<p>Subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylvalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures</p> <p>See also Decision 2005/387/JHA <a href="#">2003/0215(CNS)</a></p> <p><b>Subject</b></p> <p>7.30.30.04 Action to combat drugs and drug-trafficking</p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>LIBE</b>	Civil Liberties, Justice and Home Affairs	JIMÉNEZ-BECERRIL BARRIO Teresa (PPE)	03/09/2015
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>ENVI</b>	Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
Council of the European Union				
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Justice and Consumers		JOUROVÁ Věra	

Key events			
Date	Event	Reference	Summary
16/06/2014	Initial legislative proposal published	COM(2014)0362 	
30/06/2015	Legislative proposal published	<a href="#">10011/2015</a>	<a href="#">Summary</a>
09/07/2015	Committee referral announced in Parliament		
22/09/2015	Vote in committee		
28/09/2015	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0264/2015</a>	<a href="#">Summary</a>
06/10/2015	Decision by Parliament	<a href="#">T8-0328/2015</a>	<a href="#">Summary</a>

06/10/2015	Results of vote in Parliament		
08/10/2015	Act adopted by Council after consultation of Parliament		
08/10/2015	End of procedure in Parliament		
20/10/2015	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2014/0183(NLE)
<b>Procedure type</b>	NLE - Non-legislative enactments
<b>Procedure subtype</b>	Consultation of Parliament
<b>Legislative instrument</b>	Decision
<b>Amendments and repeals</b>	See also Decision 2005/387/JHA <a href="#">2003/0215(CNS)</a>
<b>Legal basis</b>	Treaty on European Union (after Amsterdam) M 039-p1
<b>Other legal basis</b>	Rules of Procedure EP 165
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	LIBE/8/03857

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE564.981</a>	01/09/2015	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A8-0264/2015</a>	28/09/2015	<a href="#">Summary</a>
Text adopted by Parliament, 1st reading/single reading		<a href="#">T8-0328/2015</a>	06/10/2015	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type	Reference	Date	Summary	
Legislative proposal	<a href="#">10011/2015</a>	30/06/2015	<a href="#">Summary</a>	
<b>European Commission</b>				
Document type	Reference	Date	Summary	
Commission document (COM)	COM(2014)0362 	16/06/2014		

Additional information		
Source	Document	Date

## Final act

Decision 2015/1875  
OJ L 275 20.10.2015, p. 0038

[Summary](#)

## Subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures

2014/0183(NLE) - 28/09/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Teresa JIMÉNEZ-BECERRIL BARRIO (EPP, ES) on the draft Council implementing decision on subjecting 4-iodo-2,5dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloroN-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2(ethylamino)cyclohexanone (methoxetamine) to control measures.

The committee **approved the Council draft** which seeks to invite the Member States to subject 25I-NBOMe, AH-7921, MDPV and methoxetamine to control measures.

In compliance with [Council Decision 2005/387/JHA](#) on the information exchange, risk-assessment and control of new psychoactive substances, the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) assessed the risks on the new psychoactive substances. The risk assessment report was subsequently submitted to the Commission and to the Council on 23 April 2014.

## Subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures

2014/0183(NLE) - 30/06/2015 - Legislative proposal

**PURPOSE:** to subject 4-iodo-2,5dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2(ethylamino)cyclohexanone (methoxetamine) to control measures.

**PROPOSED ACT:** Implementing Council 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:** in compliance with [Council Decision 2005/387/JHA](#) on the information exchange, risk-assessment and control of new psychoactive substances, the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) assessed the risks on the new psychoactive substances **25I-NBOMe, AH-7921, MDPV and methoxetamine**. The risk assessment reports were submitted to the Commission and to the Council on 23 April 2014.

**(1) 25I-NBOMe** is a potent synthetic derivative of 2,5-dimethoxy-4-iodophenethylamine (2C-I), a classical serotonergic hallucinogen, which was subject to risk assessment and to control measures and criminal sanctions at Union level from 2003 by virtue of Council Decision 2003/847/JHA. Twenty-two Member States and Norway have reported to the EMCDDA and to the European Police Office (Europol) that they reported detection of 25I-NBOMe. There have been **four deaths** associated with 25I-NBOMe registered in three Member States. Severe toxicity associated with its use has been reported in four Member States, which notified 32 non-fatal intoxications. 25I-NBOMe is openly marketed and sold on the internet as a 'research chemical' and

information obtained from seizures, collected samples, user websites and internet retailers suggests that it is being sold as a drug in its own right and also marketed as a 'legal' replacement for LSD. Six Member States control 25I-NBOMe under national legislation and seven Member States use other legislative measures to control it.

**(2) AH-7921** is a structurally atypical synthetic opioid analgesic commonly known by internet suppliers, user websites and media as 'doxylam'. It can be easily confused with 'doxylamine', an antihistaminic medicine with sedative-hypnotic properties, which could lead to unintentional overdoses. Based on user reports, the effects of AH-7921 appear to resemble those of classical opioids. Some of the users report self-medicating with this new drug to relieve pain.

**15 fatalities** were recorded in three Member States between December 2012 and September 2013 where AH-7921, alone or in combination with other substances, was detected in post-mortem samples. One Member State reported **six non-fatal intoxications** associated with AH-7921. One Member State controls AH-7921 under national legislation and five Member States use other legislative measures to control it.

**(3) MDPV** is a ring-substituted synthetic derivative of cathinone chemically related to pyrovalerone, which are both subject to control under the 1971 United Nations Convention on Psychotropic Substances. The psychopharmacological profile observed for MDPV is similar to that for cocaine and methamphetamine, albeit more potent and longer lasting. **Acute toxicity** can provoke adverse effects on humans.

MDPV has been present on the Union drug market since November 2008 and 27 Member States, Norway and Turkey have reported multi-kilogram seizures of the substance. MDPV is being sold as a substance in its own right, but it has also been detected in combination with other substances. It is widely available from internet suppliers and retailers, 'head shops' and street-level dealers.

**108 fatalities** were registered in eight Member States and Norway between September 2009 and August 2013, where MDPV has been detected in post-mortem biological samples or implicated in the cause of death. A total of **525 non-fatal intoxications** associated with MDPV have been reported by eight Member States.

21 Member States control MDPV under national legislation and four Member States use other legislative measures to control it.

**(4) Methoxetamine** is an arylcyclohexylamine substance which is chemically similar to ketamine and the internationally-controlled substance phencyclidine (PCP). Self-reported experiences from user websites suggest adverse effects similar to ketamine intoxication.

Twenty-three Member States, Turkey and Norway have reported that they reported detection of methoxetamine, since November 2010. Information suggests that it is sold and used as a substance in its own right, and that it is also sold as a 'legal' replacement for ketamine by internet retailers.

**Twenty deaths** associated with methoxetamine have been reported by six Member States that detected the substance in post-mortem samples. Used alone or in combination with other substances, methoxetamine was detected in **20 non-fatal intoxications** reported by five Member States. Nine Member States control methoxetamine under national legislation and nine other Member States use other legislative measures to control it.

**The Risk Assessment Report** reveals that further research would be needed to determine the health and social risks posed by methoxetamine. However, the available evidence and information provides sufficient grounds for subjecting methoxetamine to control measures across the Union. As a result of the health risks that it poses, as documented by its detection in several reported fatalities, of the fact that users may unknowingly consume it, and of the lack of medical value or use, methoxetamine should be subjected to control measures across the Union.

CONTENT: this proposal aims to invite the Member States to **subject 25I-NBOMe, AH-7921, MDPV and methoxetamine to control measures across the Union.**

[Decision 2014/688/EU](#) ceases to produce effects from the date of entry into force of this Decision, without prejudice to the obligations of the Member States relating to the time limit for subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylpyrovalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures and criminal penalties in their national laws.

The United Kingdom shall not take part in the adoption of this Decision and is not bound by it or subject to its application.

## **Subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylpyrovalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures**

2014/0183(NLE) - 06/10/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 651 votes to 6, with 33 abstentions, a legislative resolution on the draft Council implementing decision on subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylpyrovalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures.

In line with the Committee on Civil Liberties, Justice and Home Affairs, the European Parliament **approved the Council draft** aiming to subject 25I-NBOMe, AH-7921, MDPV and methoxetamine to control measures.

# Subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures

2014/0183(NLE) - 08/10/2015 - Final act

PURPOSE: to apply control measures to new psychoactive substances.

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2015/1875 on subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylamphetamine (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures.

CONTENT: the Council adopted an **implementing decision** on subjecting the new psychoactive substances to control measures across the European Union:

- **25I-NBOMe**, a potent synthetic derivative of 2,5-dimethoxy-4-iodophenethylamine (2C-I), a classical serotonergic hallucinogen;
- **AH-7921**, a structurally atypical synthetic opioid analgesic commonly known by internet suppliers, user websites and media as 'doxylam';
- **MDPV**, a ring-substituted synthetic derivative of cathinone chemically related to propylamphetamine and;
- **methoxetamine**, an arylcyclohexylamine substance which is chemically similar to ketamine and the internationally-controlled substance phencyclidine (PCP) which has dissociative properties.

The implementing Decision implements [Decision 2005/387/JHA](#) that confers upon the Council implementing powers with a view to giving a quick and expertise-based response at Union level to the emergence of new psychoactive substances detected and reported by the Member States, by subjecting those substances to control measures across the Union.

A risk assessment report on the four new psychoactive substances 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** (EMCDDA). The report pointed out that further research would be needed to determine the health and social risks that these substances pose.

As a result of the **health risks** that they pose, as documented by their detection in several reported fatalities, of the fact that users may unknowingly consume them and of the lack of medical value or use of the substance, the four substances should be subjected to control measures across the Union.

[Decision 2014/688/EU](#) is replaced, without prejudice to the obligations of the Member States relating to the time limit for subjecting that new psychoactive substance to control measures and criminal penalties in their national laws.

The United Kingdom is not bound by Decision 2005/387/JHA and is therefore not taking part in the adoption of this Decision, which implements Decision 2005/387/JHA, and is not bound by it or subject to its application.

ENTRY INTO FORCE: 21.10.2015.