Basic information

2017/0152(NLE) NLE - Non-legislative enactments	Procedure completed
Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures **Subject** 4.20.03 Drug addiction, alcoholism, smoking 7.30.30.04 Action to combat drugs and drug-trafficking	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	BONI Michał (PPE)	25/09/2017

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3575	2017-11-15

European Commission

Commission DG	Commissioner
Migration and Home Affairs	AVRAMOPOULOS Dimitris

Key events

Date	Event	Reference	Summary
05/07/2017	Initial legislative proposal published	COM(2017)0367	Summary
20/07/2017	Legislative proposal published	11212/2017	Summary
11/09/2017	Committee referral announced in Parliament		
12/10/2017	Vote in committee		
16/10/2017	Committee report tabled for plenary, 1st reading/single reading	A8-0309/2017	Summary
24/10/2017	Decision by Parliament	T8-0389/2017	Summary
24/10/2017	Results of vote in Parliament		
15/11/2017	Act adopted by Council after consultation of Parliament		
15/11/2017	End of procedure in Parliament		
22/11/2017	Final act published in Official Journal		

Technical information

Procedure reference	2017/0152(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/10449

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE610.788	26/09/2017	
Committee report tabled for plenary, 1st reading/single reading		A8-0309/2017	16/10/2017	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0389/2017	24/10/2017	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	11212/2017	20/07/2017	Summary

European Commission

Document type	Reference	Date	Summary
Initial legislative proposal	COM(2017)0367	05/07/2017	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2017/2170
OJ L 306 22.11.2017, p. 0019 Summary

Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl) piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures

2017/0152(NLE) - 24/10/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 572 votes to 54, with 36 abstentions, a legislative resolution on the draft Council implementing decision on subjecting N-phenyl-N-[1-(2phenylethyl)piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures.

In line with its Committee on Civil Liberties, Justice and Home Affairs, Parliament **approved** the Council draft.

Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl) piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures

2017/0152(NLE) - 16/10/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Michal BONI (EPP, PL) on the draft Council implementing decision on subjecting N-phenyl-N-[1-(2phenylethyl)piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures.

The committee recommended that Parliament **approve the Council draft**.

The available evidence and information on the health and social risks that the substance poses, given also its similarities with fentanyl, provide sufficient grounds for subjecting furanylfentanyl to control measures across the Union.

Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl) piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures

2017/0152(NLE) - 05/07/2017

PURPOSE: to subject the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4yl]furan-2-carboxamide (furanylfentanyl) 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: on 28 February 2017, following the request made by the Commission and 9 Member States and pursuant to Council Decision 2005 /387/JHA, the Council requested an assessment of the risks caused by the use, manufacture and trafficking of the new psychoactive substance.

The **main results** of the risk assessment carried out by the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are the following:

Furanylfentanyl is a **synthetic opioid** and is structurally similar to fentanyl, a controlled substance widely used in medicine for general anaesthesia during surgery and for pain management. It has been available in the Union since June 2015 and has been detected in 16 Member States;

23 deaths associated with furanylfentanyl have been reported by five Member States. In at least ten deaths furanylfentanyl was the cause of death or is likely to have contributed to the death. In addition, **11 acute non-fatal intoxications** associated with furanylfentanyl were reported by three Member States.

Furanylfentanyl has no recognised human or veterinary medical use in the Union.

Furanylfentanyl is not listed for control under the 1961 United Nations Single Convention on Narcotic Drugs or under the 1971 United Nations Convention on Psychotropic Substances. The substance is not currently under assessment by the United Nations system.

There is no information suggesting the involvement of organised crime in the manufacture, distribution (trafficking) and supply of furanylfentanyl within the Union.

Based on the findings of the risk assessment report, the Commission considers that there are grounds for subjecting this substance to control measures across the Union. According to the risk assessment report, the acute toxicity of furanylfentanyl is such that it can cause severe harms to the health of individuals.

CONTENT: the objective of this proposal for a Council Implementing Decision is to call upon the Member States to **subject furanylfentanyl to control measures** and criminal penalties as provided under their legislation by virtue of their obligations under the 1971 United Nations Convention on Psychotropic Substances.

Given that ten Member States control furanylfentanyl under national drug control legislation and three Member State control furanylfentanyl under other legislation, subjecting this substance to control measures across the Union would help avoid the emergence of obstacles in cross-border law enforcement and judicial cooperation, and would help protect from the risks that its availability and use can pose.

Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl) piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures

2017/0152(NLE) - 15/11/2017 - Final act

PURPOSE: to subject the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4yl]furan-2-carboxamide (furanylfentanyl) to control measures.

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2017/2170 on subjecting N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures.

CONTENT: the aim of the Council's implementing decision is to **subject the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4yl] furan-2-carboxamide (furanylfentanyl) to control measures**.

The risk assessment report drawn up in accordance with Decision 2005/387/JHA by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and sent to the Commission and the Council on 24 May 2017 concludes that this psychoactive substance was detected in 16 Member States is a **synthetic opioid** whose structure is similar to fentanyl, a controlled substance commonly used in medicine as a supplement to general anaesthesia in surgery and as an analgesic. It is mainly produced in China.

Five Member States reported **22 deaths** related to this substance and **11 acute furanylfentanyl-associated** intoxications were reported by three Member States.

Furanylfentanyl is sold in small or wholesale quantities as a "research chemical", usually in the form of ready-to-use powder or nasal spray. It may also have been sold on the illicit opioid market. It has no recognised human or veterinary medical use.

Only ten Member States control furanylfentanyl under their national drugs control legislation, while three further Member States use other legislative measures to control it.

The evidence and information available on the **health and social risks** posed by this substance are sufficient grounds for subjecting furanylfentanyl to control measures throughout the Union.

The decision provides that, no later than 19 November 2018, Member States will have to submit the new psychoactive substance to the control measures and criminal penalties provided for by their legislation, in accordance with their obligations under the 1971 UN Convention on the Protection of Psychoactive Substances.

The United Kingdom is not bound by this decision.

ENTRY INTO FORCE: 22.11.2017.

Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl) piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures

2017/0152(NLE) - 20/07/2017 - Legislative proposal

PURPOSE: to subject the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4yl]furan-2-carboxamide (furanylfentanyl) 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: **a risk-assessment report on furanylfentanyl**, drawn up by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and submitted to the Commission and to the Council on 24 May 2017 concluded that this psychoactive substance - detected in 16 Member States - is a synthetic opioid with a structure similar to that of fentanyl, a controlled substance commonly used in medicine for general anaesthesia in surgery and pain management.

The substance is sold online in small and wholesale amounts as a 'research chemical', typically in the form of powder and ready-to-use nasal spray. It has no recognised medical or veterinary use in the Union.

Five Member States reported 22 deaths related to furanylfentanyl. In addition, **11 acute non-fatal poisonings** associated with furanylfentanyl were reported by three Member States.

The available evidence and information on the health and social risks that the substance poses, given also its similarities with fentanyl, provide sufficient grounds for subjecting furanylfentanyl to control measures across the Union.

CONTENT: the Council draft aims to subject the new psychoactive substance N-phenyl-N- [1- (2-phenylethyl) piperidin-4-yl] furan-2-carboxamide (furanylfentanyl) to control measures throughout the Union.

For further details, see the summary of the Commission's initial legislative proposal dated 5.7.2017.

Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl) piperidin-4-yl]furan-2-carboxamide (furanylfentanyl) to control measures

2017/0152(NLE) - 05/07/2017 - Initial legislative proposal

PURPOSE: to subject the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4yl]furan-2-carboxamide (furanylfentanyl) 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: on 28 February 2017, following the request made by the Commission and 9 Member States and pursuant to Council Decision 2005 /387/JHA, the Council requested an assessment of the risks caused by the use, manufacture and trafficking of the new psychoactive substance.

The **main results** of the risk assessment carried out by the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are the following:

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Furanylfentanyl has no recognised human or veterinary medical use in the Union.

Furanylfentanyl is not listed for control under the 1961 United Nations Single Convention on Narcotic Drugs or under the 1971 United Nations Convention on Psychotropic Substances. The substance is not currently under assessment by the United Nations system.

There is no information suggesting the involvement of organised crime in the manufacture, distribution (trafficking) and supply of furanylfentanyl within the Union.

Based on the findings of the risk assessment report, the Commission considers that there are grounds for subjecting this substance to control measures across the Union. According to the risk assessment report, the acute toxicity of furanylfentanyl is such that it can cause severe harms to the health of individuals.

CONTENT: the objective of this proposal for a Council Implementing Decision is to call upon the Member States to **subject furanylfentanyl to control measures** and criminal penalties as provided under their legislation by virtue of their obligations under the 1971 United Nations Convention on Psychotropic Substances.

Given that ten Member States control furanylfentanyl under national drug control legislation and three Member State control furanylfentanyl under other legislation, subjecting this substance to control measures across the Union would help avoid the emergence of obstacles in cross-border law enforcement and judicial cooperation, and would help protect from the risks that its availability and use can pose.