Basic information

2017/0341(NLE) NLE - Non-legislative enactments	Procedure lapsed or withdrawn
Subjecting the new psychoactive substance N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (AB-CHMINACA) to control measures **Subject** 7.30.30.04 Action to combat drugs and drug-trafficking	

Key players

Council of the European Union	
European Commission	Commission DG: Migration and Home Affairs Commissioner: AVRAMOPOULOS Dimitris

Key events

Date	Event	Reference	Summary
18/12/2017	Preparatory document	COM(2017)0758	Summary
08/02/2018	Legislative proposal published	05390/2018	Summary
28/02/2018	Committee referral announced in Parliament		

Technical information

Procedure reference	2017/0341(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/8/11880

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE618.024	06/02/2018	

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	05390/2018	08/02/2018	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2017)0758	18/12/2017	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Subjecting the new psychoactive substance N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (AB-CHMINACA) to control measures

2017/0341(NLE) - 08/02/2018 - Legislative proposal

PURPOSE: to subject the new psychoactive substance N-(1-amino-3-methyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1H-indazole-3-carboxamide (AB-CHMINACA) 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 risk assessment report on **AB-CHMINACA** prepared by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and sent to the Commission and the Council on 14 November 2017 concludes that this substance - available in the Union since at least April 2014 and detected in 24 Member States - is a **synthetic cannabinoid** with similar effects to those of THC, but with additional life-threatening toxicity. More than **4600 seizures** have been made within the Union.

ADB-CHMINACA is typically sold in small and wholesale amounts in head shops, branded as a legal high as smoking mixtures or as powder, as well as on the internet, branded as a legal replacement for cannabis. It has no recognised human or veterinary medical use in the Union.

Three Member States have reported **31 deaths** associated with ADB-CHMINACA. In addition, one Member State reported **7 acute non-fatal intoxications** associated with the substance.

The available evidence and information on the **health and social risks** that the substance poses provides sufficient grounds for subjecting ADB-CHMINACA to control measures across the Union.

CONTENT: the draft Council decision aims to **subject the new psychoactive substance AB-CHMINACA to the control measures** and criminal penalties provided for by Member States legislation, in accordance with their obligations under the United Nations Single Convention on Narcotic Drugs of 1971.

For more details, see the summary of the Commission's initial legislative proposal dated 18.12.2017.

Subjecting the new psychoactive substance N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (AB-CHMINACA) to control measures

2017/0341(NLE) - 18/12/2017 - Preparatory document

PURPOSE: to subject the new psychoactive substance N-(1-amino-3-methyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1H-indazole-3-carboxamide (AB-CHMINACA) 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 the opinion of the European Parliament.

BACKGROUND: on 15 September 2017, following the request made by the Commission and seven Member States and pursuant to Council Decision 2005/387/JHA on the information exchange, risk-assessment and control of new psychoactive substances, the Council requested an assessment of the risks caused by the use, manufacture and trafficking of the new psychoactive substance **AB-CHMINACA**, the involvement of organised crime and the possible consequences of control measures introduced on this substance.

A **risk assessment report** on the new psychoactive substance was drawn up by the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), and was subsequently submitted to the Commission on 14 November 2017.

The main results of the risk assessment are the following:

- AB-CHMINACA is a **synthetic cannabinoid**. It shows similar effects to THC, which is responsible for the major psychoactive effects of cannabis, but with additional life-threatening toxicity. It is typically sold in small and wholesale amounts branded as ‘legal high’ smoking mixtures and as powder in head shops as well as on the internet as ‘legal’ replacements for cannabis. It may also be sold directly on the illicit drug market;
- the substance has been available in the European Union since at least April 2014 and has been detected in 24 Member States. More than 4600 seizures have been made within the European Union. **31 deaths** associated with ABCHMINACA have been reported by six Member States. **Seven acute non-fatal intoxications** associated with AB-CHMINACA were reported by four Member States.

This substance has **no recognised human or veterinary medical use** in the Union nor, it appears, elsewhere. There is no information on the involvement of organised crime.

The risk assessment report reveals that many of the questions related to AB-CHMINACA could be answered through further research. However, the available evidence and information on the **health and social risks** that the substance poses provides sufficient ground for subjecting AB-CHMINACA to control measures across the Union.

CONTENT: the purpose of this proposal for a Council Implementing Decision is to call upon the Member States to **subject the new psychoactive substance AB-CHMINACA to control measures** across the Union and criminal penalties as provided under their legislation by virtue of their obligations under the 1971 United Nations Single Convention on Narcotic Drugs.

Currently, 18 Member States control AB-CHMINACA under national drug control legislation and three Member States control it 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.

The United Kingdom shall not take part in the adoption of this Decision.

Subjecting the new psychoactive substance N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (AB-CHMINACA) to control measures

2017/0341(NLE) - 18/12/2017

PURPOSE: to subject the new psychoactive substance N-(1-amino-3-methyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1H-indazole-3-carboxamide (AB-CHMINACA) 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 the opinion of the European Parliament.

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