Basic information

2017/0345(NLE) NLE - Non-legislative enactments	Procedure lapsed or withdrawn
Subjecting the new psychoactive substance methyl 1-(2-phenylethyl)-4-[phenyl(propanoyl)amino]piperidine-4-carboxylate (carfentanil) 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	Initial legislative proposal published	COM(2017)0765	Summary
02/02/2018	Legislative proposal published	05393/2018	Summary
28/02/2018	Committee referral announced in Parliament		

Technical information

Procedure reference	2017/0345(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/8/11874

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE618.028	06/02/2018	

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	05393/2018	02/02/2018	Summary

European Commission

Document type	Reference	Date	Summary
Initial legislative proposal	COM(2017)0765	18/12/2017	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Subjecting the new psychoactive substance methyl 1-(2-phenylethyl)-4-[phenyl(propanoyl)amino]piperidine-4-carboxylate (carfentanil) to control measures

2017/0345(NLE) - 02/02/2018 - Legislative proposal

PURPOSE: to subject the new psychoactive substance methyl 1-(2-phenylethyl)-4-[phenyl(propanoyl)amino]piperidine-4-carboxylate (carfentanil) 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: the risk assessment report on **carfentanil** drawn up by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) was submitted to the Commission and to the Council on 14 November 2017. It concluded that this psychoactive substance - detected for the first time in December 2012 and seized eight hundred times by seven Member States - is a **synthetic opioid** whose structure is similar to that of fentanyl, a controlled substance widely used in medicine as an adjunct to general anaesthesia during surgery and for pain management.

The substance, presumably produced in China and Hong Kong, is usually sold in powder form in small and wholesale amounts, as a drug in its own right, but also as a so-called research chemical, pharmaceutical intermediate or as a so-called legal replacement to illicit opioids.

Carfentanil is authorised as a veterinary medicine in the United States for the immobilisation of large animals. It is possible that carfentanil may have limited use in veterinary medicine in the Union.

Seven Member States have reported 60 deaths which occurred between November 2016 and June 2017. In addition, two Member States have reported three cases of acute non-fatal intoxication associated with carfentanil.

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

CONTENT: the draft Council Decision aims at **subjecting the new psychoactive substance carfentanil to the control measures** and criminal penalties provided for under their legislation, in compliance with their obligations under the 1961 United Nations Single Convention on Narcotic Drugs as amended by the 1972 Protocol.

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

Subjecting the new psychoactive substance methyl 1-(2-phenylethyl)-4-[phenyl(propanoyl)amino]piperidine-4-carboxylate (carfentanil) to control measures

2017/0345(NLE) - 18/12/2017 - Initial legislative proposal

PURPOSE: to subject the new psychoactive substance methyl 1-(2-phenylethyl)-4[phenyl(propanoyl)amino]piperidine-4-carboxylate (carfentanil) 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 **carfentanil**, 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:

- carfentanil is a **synthetic opioid** and is closely related to fentanyl, a controlled substance widely used in medicine as an adjunct to general anaesthesia during surgery and for pain management. It is one of the most potent narcotic opioid analgesics. It is sold online in small and wholesale amounts as a drug in its own right, but also as ‘research chemical’ and a ‘legal’ replacement to illicit opioids;
- the substance was formally notified to the EMCDDA in February 2013. **60 deaths** with confirmed exposure to carfentanil have been reported by seven Member States. In at least six deaths carfentanil was the cause of death or is likely to have contributed to the death. Many of the deaths involved high-risk drug users, including heroin injectors.

Carfentanil is authorised as a veterinary medicine in the United States for the immobilisation of large animals. It is possible that the substance may have limited use in veterinary medicine in the Union.

One Member State reported that almost all trafficking and distribution of fentanils, including carfentanil, are linked with organised crime groups in that Member State.

The risk assessment report reveals that many of the questions related to carfentanil 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 carfentanil 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 carfentanil 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, twelve Member States control carfentanil under national drug control legislation and four 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 methyl 1-(2-phenylethyl)-4-[phenyl(propanoyl)amino]piperidine-4-carboxylate (carfentanil) to control measures

2017/0345(NLE) - 18/12/2017

PURPOSE: to subject the new psychoactive substance methyl 1-(2-phenylethyl)-4[phenyl(propanoyl)amino]piperidine-4-carboxylate (carfentanil) to control measures.

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