Combatting drugs: information exchange, risk-assessment and control of new psychoactive substances

2003/0215(CNS) - 10/05/2005 - Final act

LEGISLATIVE ACT: Council Decision 2005/387/JHA on the exchange, risk-assessment and control of new psychoactive substances.

CONTENT: The Council has approved a legal instrument that broadens the scope of EU action on new substances appearing on the drug scene in the Member States. The Decision establishes a mechanism for a rapid exchange of information on new psychoactive substances and provides for an assessment of the risks by a Scientific Committee and a European procedure for bringing the substances notified under control. The Decision on information exchange, risk assessment and control of new psychoactive substances, replaces the 1997 Joint action, which was devoted exclusively to new synthetic drugs. The new instrument maintains the three-step procedure of the Joint action.

It allows the EU to act on all new psychoactive substances (narcotic, psychotropic) which appear in the Member States and which may pose similar health or social risks to those listed in the Schedules to the 1961 UN Single Convention on Narcotic Drugs and the 1971 UN Convention on Psychotropic Substances.

The instrument not only covers a wider range of substances than before but also promises fast and more transparent results. The introduction of deadlines into every phase of the procedure established by the Decision should guarantee that the instrument can react swiftly and enhances its ability to provide a quick-response mechanism.

The EMCDDA (European Monitoring Centre for Drugs and Drug Addiction) and Europol are required to report annually to the Council, Parliament and the Commission on the efficacy and achievements of the system. Another innovation of the new instrument is that, unlike the Joint action, it also provides for the collection and exchange (but not control) of information on medicinal products diverted from their legitimate use. Here, the European Medicines Agency (EMEA) is set to play a more active role by assessing with the European Commission, and in close cooperation with the EMCDDA, the need for further action on these products.

ENTRY INTO FORCE: 21/05/2005.