


# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure lapsed or withdrawn
Narcotics and psychotropic drugs: substances used in the illicit manufacture of drugs	
Subject 7.30.30.04 Action to combat drugs and drug-trafficking	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Civil Liberties and Internal Affairs		19/03/1998
		PPE <a href="#">PIRKER Hubert</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
Council of the European Union	<b>ENVI</b> Environment, Public Health and Consumer Protection	The committee decided not to give an opinion.	

Key events			
23/01/1998	Legislative proposal published	COM(1998)0022	Summary
20/02/1998	Committee referral announced in Parliament, 1st reading		
12/10/1998	Vote in committee, 1st reading		Summary
12/10/1998	Committee report tabled for plenary, 1st reading	<a href="#">A4-0367/1998</a>	
20/11/1998	Debate in Parliament		
20/11/1998	Decision by Parliament, 1st reading	T4-0697/1998	Summary
28/04/1999	Modified legislative proposal published	COM(1999)0202	Summary
10/09/2002	End of procedure in Parliament		
06/08/2004	Additional information		Summary

Technical information	
Procedure reference	1998/0017(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)

Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 095; Rules of Procedure EP 050
Stage reached in procedure	Procedure lapsed or withdrawn

#### Documentation gateway

Legislative proposal		COM(1998)0022	23/01/1998	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0623/1998</a> <a href="#">OJ C 214 10.07.1998, p. 0011</a>	29/04/1998	ESC	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A4-0367/1998</a> <a href="#">OJ C 359 23.11.1998, p. 0004</a>	12/10/1998	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0697/1998 <a href="#">OJ C 379 07.12.1998, p. 0372-0390</a>	20/11/1998	EP	Summary
Modified legislative proposal		COM(1999)0202 <a href="#">OJ C 162 09.06.1999, p. 0009</a>	28/04/1999	EC	Summary

#### Additional information

European Commission	<a href="#">EUR-Lex</a>
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## Narcotics and psychotropic drugs: substances used in the illicit manufacture of drugs

OBJECTIVE : introduction of a supplementary monitoring system for substances not listed under Directive 92/109/EEC which could be used for the manufacture of drugs. SUBSTANCE : Council Directive 92/109/EEC imposes stringent controls on the manufacture and marketing of 22 substances which may be diverted into the illicit manufacture of narcotic drugs or psychotropic substances. It is becoming increasingly clear that a significant number of other substances, many of them traded legally in large quantities, may be used for the illicit manufacture of synthetic designer drugs. Since it would be unrealistic to apply to all these substances the same controls as those laid down by Directive 92/109/EEC concerning the 22 basic substances, the Commission proposes to establish a more flexible mechanism at Community level whereby the competent authorities in the Member States can be notified of suspicious transactions in these substances. This entails a voluntary system of monitoring based on cooperation between the monitoring authorities of the Member States and the industry and immediate reporting by operators of suspect transactions with regard to these substances. Accordingly, the provisions of Directive 92/109/EEC concerning scheduled substances shall apply mutatis mutandis to non-scheduled substances. The list of non-scheduled substances is regularly updated by the committee responsible in the light of further developments with regard to drugs precursors. ?

## Narcotics and psychotropic drugs: substances used in the illicit manufacture of drugs

The Committee has adopted, as amended, a report by Mr Hubert Pirker (PPE/A), on the amendment of Directive 92/109/EEC relating to substances used in the illicit manufacture of narcotic drugs and psychotropic substances, The rapporteur states that, in recent years, consumption of synthetic drugs has increased sharply throughout the world. After marijuana they are the most consumed drugs in the European Union. Increasing efforts are therefore being made at UN and at European Union level to create new cooperation mechanisms with regard to synthetic drugs or to adapt existing instruments to the specific problems of synthetic drugs. The first of the Commission's proposals relates to the basic substances used in the manufacture of synthetic drugs and is aimed at establishing a suitable control mechanism. The Commission considers that precise monitoring of trade with precursors is an effective method of combating the new synthetic drugs. Such a control mechanism must be distinct from the existing Community provisions, the application of which to precursors for synthetic drugs would be impossible in practical terms and not desirable. As there are such a large number of precursors on the market which can easily be replaced by others or can be mixed with others, a strict monitoring mechanism such as that for the existing 22 substances would jeopardise the efficiency of the whole system and hamper a fruitful cooperation between the operators and the Community authorities. The aim of the Commission's proposed amendment is, therefore, to extend cooperation between the authorities and the operators such that it would also apply on a voluntary basis to previously non-scheduled substances which could be diverted to the illicit manufacture of narcotic drugs and psychotropic substances. The competent authorities of the Member States should have the opportunity to prohibit transactions of these substances if there are reasonable grounds for suspecting that they are intended for illicit manufacture. However, the new controls to be introduced for the precursors for synthetic drugs are meaningful only if they are not restricted to the European Union. Close cooperation with non-member countries, in particular the countries of central and eastern Europe is needed, as otherwise procurement will simply be shifted elsewhere.?

## Narcotics and psychotropic drugs: substances used in the illicit manufacture of drugs

In adopting the report by Mr Hubert PIRKER (PPE, A), the European Parliament approved the proposal by the Commission establishing a system to monitor substances used in the illicit manufacture of drugs. It recognised that it would be unrealistic to extend to all precursors the strict monitoring system applicable to the 22 classified substances, and accordingly advocated that voluntary cooperation be organised between the parties concerned (producers, distributors and authorities). It approved the Committee on Precursors which was to draw up two distinct lists: a list of unclassified substances known to be used frequently in illicit production and a list of those of these substances to which voluntary cooperation between authorities and operators should apply. However, to prevent drug producers from evading controls too easily, Parliament took the view that the public should not have access to these lists. It called on the Commission to report to Parliament annually on the results of the monitoring measures.?

## Narcotics and psychotropic drugs: substances used in the illicit manufacture of drugs

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The Commission's amended proposal takes up three of the five amendments adopted by the Parliament in its first reading. These are as follow: - amendments of a semantic or linguistic nature; - amendments seeking to strengthen safety measures against the production of psychotropic substances; - the modification of the date for the transposition of the Directive. On the other hand, the Commission did not accept the amendment that sought to oblige it to present, each year, a report on the results of monitoring measures on classified and non-classified substances, because this report would duplicate that which would be drawn up for the attention of the International Narcotics Control Board. The Commission also rejected a part of another amendment aimed at not making accessible to the public the lists of products to be monitored drawn up by the Committee on Drug Precursors (because the work of the Committee is, in any event, confidential).?

## Narcotics and psychotropic drugs: substances used in the illicit manufacture of drugs

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As this proposal is no longer of topical interest, it has been withdrawn by the Commission.