Procedure file

Basic information

NLE - Non-legislative enactments Decision	2013/0207(NLE)	Procedure completed
Subjecting 5-(2-aminopropyl)indole to control measures See also Decision 2005/387/JHA 2003/0215(CNS) Subject 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		03/09/2015
		epp JIMÉNEZ-BECERRIL BARRIO Teresa	
	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
Council of the European Union			
European Commission	Commission DG	Commissioner	
	Justice and Consumers	JOUROVÁ Věra	

Key events

03/07/2015	Legislative proposal published	10012/2015	Summary
09/07/2015	Committee referral announced in Parliament		
22/09/2015	Vote in committee		
28/09/2015	Committee report tabled for plenary, 1st reading/single reading	A8-0263/2015	Summary
06/10/2015	Results of vote in Parliament		
06/10/2015	Decision by Parliament	T8-0327/2015	Summary
08/10/2015	Act adopted by Council after consultation of Parliament		
08/10/2015	End of procedure in Parliament		
20/10/2015	Final act published in Official Journal		

Technical information

Procedure reference	2013/0207(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Legislative instrument	Decision

	See also Decision 2005/387/JHA 2003/0215(CNS)
Legal basis	Treaty on the European Union (after Amsterdam) M 039-p1
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/03855

Documentation gateway

Legislative proposal		10012/2015	03/07/2015	CSL	Summary
Committee draft report		PE564.980	01/09/2015	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0263/2015	28/09/2015	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0327/2015	06/10/2015	EP	Summary

Final act

Decision 2015/1876
OJ L 275 20.10.2015, p. 0043 Summary

Subjecting 5-(2-aminopropyl)indole to control measures

PURPOSE: to subject 5-(2-aminopropyl)indole to control measures.

PROPOSED ACT: Implementing Council 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: in compliance with Council Decision 2005/387/JHA on the information exchange, risk-assessment and control of new psychoactive substances, the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) assessed the risks on the new psychoactive substance 5-(2-aminopropyl)indole. The risk assessment report was subsequently submitted to the Commission and to the Council on 16 April 2013.

The substance 5-(2-aminopropyl)indole is a synthetic derivative of indole substituted at the phenyl side of the indole ring system. It appears to be a stimulant substance that may also have hallucinogenic effects. 5-(2-aminopropyl)indole has been found mostly in powder form but also in tablet and capsule form. It is commercially available on the internet and from 'head shops', marketed as a 'research chemical'.

The existing information and data suggest that the acute toxicity of 5-(2-aminopropyl)indole can provoke adverse effects in humans.

There have been a total of 24 fatalities registered in four Member States from April to August 2012, in relation to which 5-(2-aminopropyl)indole alone, or in combination with other substances, was detected in post-mortem samples.

Nine European countries have reported to the EMCDDA and to the European Police Office (Europol) that they reported detection of 5-(2-aminopropyl)indole.

Six Member States already control 5-(2-aminopropyl)indole by means of different types of legislative provisions.

The Risk Assessment Reports reveal that there is limited scientific evidence available on 5-(2-aminopropyl)indole and pointed out that further research would be needed to determine the health and social risks that it poses.

However, the available evidence and information provides sufficient ground for subjecting 5-(2-aminopropyl)indole to control measures across the Union. As a result of the health risks that it poses, as documented by its detection in several reported fatalities, of the fact that users may unknowingly consume it, and of the lack of medical value or use, 5-(2-aminopropyl)indole should be subjected to control measures across the Union.

CONTENT: this proposal aims to invite the Member States to subject the new psychoactive substance 5-(2-aminopropyl)indole to control measures across the Union.

Decision 2013/496/EU ceases to produce effects from the date of entry into force of this Decision, without prejudice to the obligations of the Member States relating to the time limit for subjecting 5(2-aminopropyl)indole to control measures and criminal penalties in their national laws.

The United Kingdom shall not take part in the adoption of this Decision and is not bound by it or subject to its application.

Subjecting 5-(2-aminopropyl)indole to control measures

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Teresa JIMÉNEZ-BECERRIL BARRIO (EPP, ES) on the draft Council implementing decision on subjecting 5-(2-aminopropyl)indole to control measures.

The committee approved the Council draft which seeks to invite the Member States to subject 5-(2-aminopropyl)indole to control measures.

In compliance with Council Decision 2005/387/JHA on the information exchange, risk-assessment and control of new psychoactive substances, the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) assessed the risks on the new psychoactive substances. The risk assessment report was subsequently submitted to the Commission and to the Council on 16 April 2014.

Subjecting 5-(2-aminopropyl)indole to control measures

The European Parliament adopted by 656 votes to 5, with 33 abstentions, a legislative resolution on the draft Council implementing decision on subjecting 5-(2-aminopropyl)indole to control measures.

In line with the Committee on Civil Liberties, Justice and Home Affairs, the European Parliament approved the Council draft aiming to subject 5-(2-aminopropyl)indole to control measures.

Subjecting 5-(2-aminopropyl)indole to control measures

PURPOSE: to subject 5-(2-aminopropyl)indole to control measures.

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2015/1876 on subjecting 5-(2-aminopropyl)indole to control measures.

CONTENT: the Council adopted an implementing decision on subjecting the new psychoactive substance 5-(2-aminopropyl)indole to control measures.

The substance 5-(2-aminopropyl)indole is a synthetic derivative of indole substituted at the phenyl side of the indole ring system. It appears to be a stimulant substance that may also have hallucinogenic effects which has been detected in samples of a product sold as a legal high called Benzo Fury, and in tablets resembling ecstasy.

The implementing Decision implements Decision 2005/387/JHA that confers upon the Council implementing powers with a view to giving a quick and expertise-based response at Union level to the emergence of new psychoactive substances detected and reported by the Member States, by subjecting those substances to control measures across the Union.

A risk assessment report on the new psychoactive substance 5-(2-aminopropyl)indole was drawn up in accordance with Decision 2005/387/JHA by the extended Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). The report revealed that there is limited scientific evidence available on 5-(2-aminopropyl)indole and pointed out that further research would be needed to determine the health and social risks that it poses.

However, as a result of the health risks that it poses, as documented by its detection in several reported fatalities, of the fact that users may unknowingly consume it, and of the lack of medical value or use, 5-(2-aminopropyl)indole should be subjected to control measures across the Union.

As of the day of entry into force of this Decision, Decision 2013/496/EU ceases to produce effects, without prejudice to the obligations of the Member States relating to the time limit for subjecting 5-(2-aminopropyl)indole to control measures and criminal penalties in their national laws.

The United Kingdom is not bound by Decision 2005/387/JHA and is therefore not taking part in the adoption of this Decision, which implements Decision 2005/387/JHA, and is not bound by it or subject to its application.

ENTRY INTO FORCE: 21.10.2015.