# Procedure file

## Basic information

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| NLE - Non-legislative enactments | 2017/0342(NLE) | Procedure lapsed or withdrawn |
| Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]oxolane-2-carboxamide (tetrahydrofuranylfentanyl; THF-F) to control measures<br><br>Subject<br>7.30.30.04 Action to combat drugs and drug-trafficking | | |

## Key players

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|---|---|---|
| European Parliament | | |
| Council of the European Union | | |
| European Commission | Commission DG | Commissioner |
| | Migration and Home Affairs | AVRAMOPOULOS Dimitris |

## Key events

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|---|---|---|---|
| 18/12/2017 | Preparatory document | COM(2017)0759 | Summary |
| 02/02/2018 | Legislative proposal published | 05395/2018 | Summary |
| 28/02/2018 | Committee referral announced in Parliament | | |

## Technical information

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| Procedure reference | 2017/0342(NLE) |
| Procedure type | NLE - Non-legislative enactments |
| Procedure subtype | Consent by Parliament |
| Stage reached in procedure | Procedure lapsed or withdrawn |
| Committee dossier | LIBE/8/11875 |

## Documentation gateway

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| Preparatory document | | COM(2017)0759 | 18/12/2017 | EC | Summary |
| Legislative proposal | | 05395/2018 | 02/02/2018 | CSL | Summary |
| Committee draft report | | PE618.026 | 06/02/2018 | EP | |

Subjecting the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]oxolane-2-carboxamide (tetrahydrofuranylfentanyl; THF-F) to control measures

PURPOSE: to subject the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4yl]oxolane-2-carboxamide (tetrahydrofuranylfentanyl; THF-F) 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 tetrahydrofuranylfentanyl (THF-F), 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:

- tetrahydrofuranylfentanyl is a synthetic opioid and is structurally related to fentanyl, a controlled substance widely used in medicine as an adjunct to general anaesthesia during surgery and for pain management. It is sold online in small and wholesale amounts, under the guise of a ?research chemical? or as ?legal? replacement to illicit opioids;
- tetrahydrofuranylfentanyl has been available in the European Union since at least September 2016 and has been seized in one Member State. 14 deaths have been reported by one Member State where exposure to tetrahydrofuranylfentanyl was confirmed. In at least 12 deaths tetrahydrofuranylfentanyl was the cause of death or is likely to have contributed to the death.

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 tetrahydrofuranylfentanyl could be answered through further research. However, the available evidence and information on the health and social risks that the substance poses, given also its similarities with fentanyl and furanylfentanyl, provides sufficient ground for subjecting tetrahydrofuranylfentanyl 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 tetrahydrofuranylfentanyl (THF-F) 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, five Member States control tetrahydrofuranylfentanyl under national drug control legislation and five 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-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]oxolane-2-carboxamide (tetrahydrofuranylfentanyl; THF-F) to control measures

PURPOSE: to subject the new psychoactive substance N-phenyl-N-[1-(2-phenylethyl)piperidin-4yl]oxolane-2-carboxamide (tetrahydrofuranylfentanyl;THF-F) 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 tetrahydrofuranylfentanyl; THF-F 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 - which was the subject of 53 seizures in one Member State in 2016 and in the first half of 2017 - is a synthetic opioid structurally related to fentanyl, which is a controlled substance widely used in medicine as an adjunct to general anaesthesia during surgery and for pain management.

The substance is typically sold in liquid form, for example in ready-to-use nasal sprays, or in powder form. It is sold online on the surface web in small and wholesale amounts, as a so-called research chemical or as a legal replacement to illicit opioids. It has no recognised human or veterinary medical use in the Union.

One Member State has reported 14 deaths one case of acute non-fatal intoxication where exposure to the substance was confirmed.

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

CONTENT: the draft Council decision aims to subject the new psychoactive substance tetrahydrofuranylfentanylto 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.