Monitoring EU/third country trade in drug precursors

2012/0250(COD) - 06/05/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade adopted the report by Franck PROUST (EPP, FR) on the proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors.

The parliamentary committee recommends that Parliaments position adopted at first reading according to the ordinary legislative procedure should be to amend the Commissions proposal as follows:

Inclusion of medicinal products in the definition of scheduled substances: Members considered that medicinal products should also be included within the definition of scheduled substances and that a new category of scheduled substances should therefore be created to take into account the specific characteristics of medicinal products.

Databases: concerning the European database establishing a European register of operators holding a licence or a registration for the legal trade in drug precursors and medicinal products containing ephedrine and pseudoephedrine, Members considered it should be regularly updated and the information provided should be used by the Commission and Member States' competent authorities only for the purpose of preventing the diversion of those products onto the illegal market (and thus not for law enforcement purposes).

Delegated acts: Members call for delegated acts to determine the cases in which a licence is not required and setting other conditions for the granting of licences, and implementing acts establishing a model for licences, that should ensure a systematic and consistent control and monitoring of operators.

Members also amended the duration of the delegation of power so that provision is made for the delegation of power of five years tacitly extended for an identical period of time (instead of for an indeterminate period).

The delegation of power should only apply to the addition of new substances. Accordingly, no scheduled substance may be withdrawn from the Annexes without going through the codecision procedure.

Concerning implementing acts, Members wanted the advisory procedure to apply rather than the examination procedure, given that only minor acts are concerned and that the fight against drug trafficking calls for an ability to react rapidly.

Report:lastly, Members called on the Commission to provide a report evaluating the functioning of the Regulation by 31 December 2017. Where appropriate, that report may be accompanied by a legislative proposal.