



EUROPEAN PARLIAMENT

2009 - 2014

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*Plenary sitting*

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**A7-0167/2013**

6.5.2013

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## **REPORT**

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  
(COM(2012)0521 – C7-0316/2012 – 2012/0250(COD))

Committee on International Trade

Rapporteur: Franck Proust

***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

***Amendments to a draft act***

In amendments by Parliament, amendments to draft acts are highlighted in bold italics. Highlighting in normal italics is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in bold. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**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 (COM(2012)0521 – C7-0316/2012 – 2012/0250(COD))**

**(Ordinary legislative procedure: first reading)**

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2012)0521),
  - having regard to Article 294(2) and Article 207 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0316/2012),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on International Trade (A7-0167/2013),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### **Amendment 1**

#### **Proposal for a regulation**

#### **Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) Trade in medicinal products is not controlled, since they are currently excluded from the definition of scheduled substances.***

## Amendment 2

### Proposal for a regulation Recital 6

*Text proposed by the Commission*

(6) Medicinal products ***containing ephedrine or pseudoephedrine*** should ***therefore*** be controlled without impeding their legitimate trade.

*Amendment*

(6) Medicinal products should ***also*** be controlled ***as other scheduled substances***, without impeding their legitimate trade. ***To that end, medicinal products should in future be included within the definition of scheduled substances.***

## Amendment 3

### Proposal for a regulation Recital 7

*Text proposed by the Commission*

(7) ***To this end, any export of medicinal products containing ephedrine or pseudoephedrine*** should be preceded by a pre-export notification sent by the competent authorities in the Union to the competent authorities of the country of destination.

*Amendment*

(7) ***A new category of scheduled substances should therefore be created to take into account the specific characteristics of medicinal products. The export of such scheduled substances*** should be preceded by a pre-export notification sent by the competent authorities in the Union to the competent authorities of the country of destination, ***with the information previously provided by the operator.***

## Amendment 4

### Proposal for a regulation Recital 8

*Text proposed by the Commission*

(8) Member States' competent authorities should be given the powers to stop or seize those products when there are reasonable grounds for suspecting that they are intended for the illicit drug manufacture,

*Amendment*

(8) Member States' competent authorities should be given the powers to stop or seize those products when there are reasonable grounds for suspecting that they are intended for the illicit drug manufacture,

when they are exported, imported or in transit.

when they are exported, imported or in transit. *Member States' competent authorities should share between themselves and with the Commission, through a European Database, information on seizures and stopped shipments in order to improve the overall level of information on trade in drug precursors and medicinal products containing ephedrine or pseudoephedrine.*

## **Amendment 5**

### **Proposal for a regulation Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10a) 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 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.*

*Justification*

*This is to clarify that the European Database to be established under this Regulation is not to be used for police and law enforcement purposes.*

## **Amendment 6**

### **Proposal for a regulation Recital 14**

*Text proposed by the Commission*

*Amendment*

(14) In order to achieve the objectives of Regulation (EC) No 111/2005, the power

(14) In order to achieve the objectives of Regulation (EC) No 111/2005, the power

to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in order to lay down provisions determining cases where a licence is not required and to set out further conditions for granting licences, to establish the conditions for exemptions from the controls of certain categories of operators and of operators engaged in the export of small quantities of scheduled substances listed in Category 3, to establish the criteria to determine how the licit purposes of the transaction may be demonstrated, to determine the information that is required by the competent authorities to monitor export, import or intermediary activities of operators, to determine the countries of destination to which exports of scheduled substances of Category 2 and 3 of the Annex should be preceded by a pre-export notification, to determine simplified pre-export procedures and to establish the common criteria thereof, to determine the countries of destination to which exports of scheduled substances listed in Category 3 of the Annex should be subject to an export authorisation, to determine simplified export authorisation procedures and to establish the common criteria thereof, and to introduce additional substances into the Annex to this Regulation, *as well as other amendments necessary* to respond to new trends of drug precursor diversion. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level.

to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in order to lay down provisions determining cases where a licence is not required and to set out further conditions for granting licences, to establish the conditions for exemptions from the controls of certain categories of operators and of operators engaged in the export of small quantities of scheduled substances listed in Category 3, to establish the criteria to determine how the licit purposes of the transaction may be demonstrated, to determine the information that is required by the competent authorities to monitor export, import or intermediary activities of operators, to determine the countries of destination to which exports of scheduled substances of Category 2 and 3 of the Annex should be preceded by a pre-export notification, to determine simplified pre-export procedures and to establish the common criteria thereof, to determine the countries of destination to which exports of scheduled substances listed in Category 3 of the Annex should be subject to an export authorisation, to determine simplified export authorisation procedures and to establish the common criteria thereof, and to introduce additional substances into the Annex to this Regulation, *in order* to respond to new trends of drug precursor diversion. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level.



## Amendment 7

### Proposal for a regulation Recital 16 a (new)

*Text proposed by the Commission*

*Amendment*

***(16a) Delegated acts determining 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, should ensure a systematic and consistent control and monitoring of operators.***

*Justification*

*The text corresponds to the proposed provision of Article 6 paragraph 4. As it contains a declaration of objectives to be achieved, it is better suited for a Recital.*

## Amendment 8

### Proposal for a regulation Recital 17

*Text proposed by the Commission*

*Amendment*

(17) Since this Regulation is based on the common commercial policy, the ***examination*** procedure should be used for the adoption of the implementing acts.

(17) Since this Regulation is based on the common commercial policy, the ***advisory*** procedure should be used for the adoption of the implementing acts.

*Justification*

*This amendment reflects the changes introduced by amendments 11, 18 and 19.*

## Amendment 9

### Proposal for a regulation Article 1 – point -1 (new) Regulation (EC) No 111/2005 Title

*Text proposed by the Commission*

*Amendment*

***(-1) In the title, the word 'Community' is***

***replaced by the words 'European Union':***

*(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*

*Justification*

*If the amendment is adopted, the word 'Community' should be replaced by the word 'Union' throughout the text of Regulation (EC) 111/2005, and the wording of the amendment will be technically adjusted in order to refer to all specific provisions concerned.*

**Amendment 10**

**Proposal for a regulation**

**Article 1 – point 1 – point a**

Regulation (EC) No 111/2005

Article 2 – point a

*Text proposed by the Commission*

(a) 'scheduled substance' means any substance used for the illicit manufacture of narcotic drugs or psychotropic substances and listed in the Annex, including mixtures ***and*** natural products containing such substances. This excludes natural products ***and*** mixtures which contain scheduled substances and which are compounded in such a way that the scheduled substances cannot be easily used or extracted by readily applicable or economically viable means ***and medicinal products within the meaning of Article 1(2) of Directive 2001/83/EC of the European Parliament and of the Council;***

*Amendment*

(a) 'scheduled substance' means any substance ***capable of being*** used for the illicit manufacture of narcotic drugs or psychotropic substances and listed in the Annex, including mixtures, natural products ***and medicinal products*** containing such substances. This excludes natural products, mixtures ***and medicinal products*** which contain scheduled substances and which are compounded in such a way that the scheduled substances cannot be easily used or extracted by readily applicable or economically viable means;

*Justification*

*Introducing medicinal products into the scope of the Regulation allows more systematic as well as flexible solution to monitoring of trade in drug precursors contained in medicinal products.*

## **Amendment 11**

### **Proposal for a regulation**

#### **Article 1 – point 2 – point b**

Regulation (EC) No 111/2005

Article 6 – paragraph 3

*Text proposed by the Commission*

3. The Commission shall establish a model for licences by means of implementing acts. Those implementing acts shall be adopted in accordance with the ***examination*** procedure referred to in Article 30(2).

*Amendment*

3. The Commission shall establish a model for licences by means of implementing acts. Those implementing acts shall be adopted in accordance with the ***advisory*** procedure referred to in Article 30 (2).

## **Amendment 12**

### **Proposal for a regulation**

#### **Article 1 – point 2 – point b**

Regulation (EC) No 111/2005

Article 6 – paragraph 4

*Text proposed by the Commission*

***4. The delegated acts referred to in the third subparagraph of paragraph 1 and the implementing acts referred to in paragraph 3 shall guarantee a systematic and consistent control and monitoring of operators.***

*Amendment*

***deleted***

*Justification*

*This provision has been moved to recitals, due to its declaratory character. See proposed Recital 16a.*

## **Amendment 13**

### **Proposal for a regulation**

#### **Article 1 – point 3 – point a**

Regulation (EC) No 111/2005

Article 7 – paragraph 1

*Text proposed by the Commission*

In considering whether to grant a registration, the competent authority shall take into account the competence and **integrity** of the applicant.

*Amendment*

In considering whether to grant a registration, the competent authority shall take into account the competence and **previous transaction history** of the applicant, **as well as any cases in which the applicant has breached the legislation**.

**Amendment 14**

**Proposal for a regulation**

**Article 1 – point 6 – point a**

Regulation (EC) No 111/2005

Article 11 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

1. All exports of scheduled substances listed in **Category 1** of the Annex, exports of scheduled substances listed in Category 2 and 3 of the Annex to certain countries of destination **and all exports of medicinal products containing ephedrine or pseudoephedrine**, shall be preceded by a pre-export notification sent from the competent authorities in the Union to the competent authorities of the country of destination, in accordance with Article 12(10) of the United Nations Convention. The Commission shall be empowered to adopt delegated acts in accordance with Article 30b to determine the **list** of the countries of destination in order to minimise the risk of diversion of scheduled substances **and medicinal products containing ephedrine or pseudoephedrine**, by ensuring systematic and consistent monitoring of exports of such substances and products to those countries.

*Amendment*

1. All exports of scheduled substances listed in **Categories 1 and 4** of the Annex, **and** exports of scheduled substances listed in Category 2 and 3 of the Annex to certain countries of destination, shall be preceded by a pre-export notification sent from the competent authorities in the Union to the competent authorities of the country of destination, in accordance with Article 12(10) of the United Nations Convention. The Commission shall be empowered to adopt delegated acts in accordance with Article 30b to determine the **lists** of the countries of destination in order to minimise the risk of diversion of scheduled substances, by ensuring systematic and consistent monitoring of exports of such substances and products to those countries.

*Justification*

*Following the amended scope of the Regulation, which now covers medicinal products introduced as Category 4 scheduled substances, this amendment removes the specific mentioning of medicinal products.*

## Amendment 15

### Proposal for a regulation

#### Article 1 – point 6 – point b

Regulation (EC) No 111/2005

Article 11 – paragraph 3

#### *Text proposed by the Commission*

3. Simplified pre-export notification procedures may be applied by the competent authorities where they are satisfied that this will not result in any risk of diversion of scheduled substances ***and of medicinal products containing ephedrine or pseudoephedrine.*** The Commission shall be empowered to adopt delegated acts in accordance with Article 30b to determine such procedures and to establish the common criteria to be applied by the competent authorities.

#### *Amendment*

3. Simplified pre-export notification procedures may be applied by the competent authorities where they are satisfied that this will not result in any risk of diversion of scheduled substances. The Commission shall be empowered to adopt delegated acts in accordance with Article 30b to determine such procedures and to establish the common criteria to be applied by the competent authorities.

## Amendment 16

### Proposal for a regulation

#### Article 1 – point 7

Regulation (EC) No 111/2005

Article 12 – paragraph 1 – subparagraph 3

#### *Text proposed by the Commission*

However, exports of scheduled substances listed in Category 3 of the Annex shall only be subject to an export authorisation where pre-export notifications are required, ***or where those substances are exported to certain countries of destination. The Commission shall be empowered to adopt delegated acts in accordance with Article 30b to determine the list of such countries of destination in order to ensure an appropriate level of control.***

#### *Amendment*

However, exports of scheduled substances listed in Category 3 of the Annex shall only be subject to an export authorisation where pre-export notifications are required.

*Justification*

*The proposed deletion removes repetition with Article 11 (1). Also the delegation is already stated in Article 11(1).*

**Amendment 17**

**Proposal for a regulation**

**Article 1 – point 9 – point a**

Regulation (EC) No 111/2005

Article 26 – paragraph 1

*Text proposed by the Commission*

*Amendment*

*(a) paragraph 1 is replaced by the following:*

*deleted*

*1. Without prejudice to the provisions of Articles 11 to 25 and to paragraphs 2 and 3 of this Article, the competent authorities of each Member State shall prohibit the introduction of scheduled substances, as well as of medicinal products containing ephedrine or pseudoephedrine, into the Union customs territory or their departure from it, if there are reasonable grounds for suspecting that such substances and products are intended for the illicit manufacture of narcotic drugs or psychotropic substances.*

*Justification*

*Following the amended scope of the Regulation, which now covers medicinal products introduced as Category 4 scheduled substances, this amendment removes the specific mentioning of medicinal products.*

**Amendment 18**

**Proposal for a regulation**

**Article 1 – point 10**

Regulation (EC) No 111/2005

Article 28

*Text proposed by the Commission*

*Amendment*

In addition to the measures referred to in

In addition to the measures referred to in

Article 26, the Commission shall be empowered to lay down, where necessary, by means of implementing acts, measures to ensure the effective monitoring of trade between the Union and third countries in drug precursors for the purpose of preventing the diversion of such substances, in particular with regard to the design and use of export and import authorisation forms. Those implementing acts shall be adopted in accordance with the *examination* procedure referred to in Article 30(2).

Article 26, the Commission shall be empowered to lay down, where necessary, by means of implementing acts, measures to ensure the effective monitoring of trade between the Union and third countries in drug precursors for the purpose of preventing the diversion of such substances, in particular with regard to the design and use of export and import authorisation forms. Those implementing acts shall be adopted in accordance with the *advisory* procedure referred to in Article 30(2).

### **Amendment 19**

#### **Article 1 – point 12**

Regulation (EC) No 111/2005

Article 30 – paragraph 2

#### *Text proposed by the Commission*

2. Where reference is made to this paragraph, **Article 5** of Regulation (EU) No 182/2011 shall apply.

#### *Amendment*

2. Where reference is made to this paragraph, **Article 4** of Regulation (EU) No 182/2011 shall apply.

### **Amendment 20**

#### **Proposal for a regulation**

#### **Article 1 – point 13**

Regulation (EC) No 111/2005

Article 30a

#### *Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts in accordance with Article 30b in order to adapt the Annex to new trends in diversion of drug precursors, in particular substances which can be easily transformed into scheduled substances, and to follow an amendment to the tables in the Annex to the United Nations Convention.

#### *Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 30b **for the inclusion of additional substances in the Annex to this Regulation**, in order to adapt the Annex to new trends in diversion of drug precursors, in particular substances which can be easily transformed into scheduled substances, and to follow an amendment to the tables in the Annex to the United Nations Convention.

## Amendment 21

### Proposal for a regulation

#### Article 1 – point 13

Regulation (EC) No 111/2005

Article 30b – paragraph 2

#### *Text proposed by the Commission*

2. The *delegation of power* referred to in *Articles 6(3)* third subparagraph, 7(2), 8(2), 9(2), 11(1) and (3), **12(1)**, 19, **28** and 30a shall be conferred for *an indeterminate* period of *time* from [OPOCE insert date of entry into force of this amending Regulation]

#### *Amendment*

2. The *power to adopt delegated acts* referred to in *the* third subparagraph of *Article 6(1)*, *Article 7(2)*, *Article 8(2)*, *Article 9(2)*, *Article 11(1)* and (3) *and Articles 19* and 30a shall be conferred for a period of *five years* from [OPOCE insert date of entry into force of this amending Regulation] *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the expiry of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

#### *Justification*

*Correcting inconsistencies, such as references to articles on implementing acts in the delegation of power, references to non-existent provisions, etc. as well as changing indeterminate period of delegation of power to five years, tacitly extended for identical periods of time.*

## Amendment 22

### Proposal for a regulation

#### Article 1 – point 13

Regulation (EC) No 111/2005

Article 30b – paragraph 3

#### *Text proposed by the Commission*

3. The delegation of *powers* referred to in *Articles 6(3)* third subparagraph, 7(2), 8(2),

#### *Amendment*

3. The delegation of *power* referred to in *the* third subparagraph of *Article 6(1)*,



9(2), 11(1) and (3), **12(1)**, (19), **28** and 30a may be revoked at any time by the European Parliament or by the Council. A decision *of revocation* shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

**Article 7(2), Article 8(2), Article 9(2), Article 11(1) and (3) and Articles 19 and 30a** may be revoked at any time by the European Parliament or by the Council. A decision *to revoke* shall put an end to the delegation of *the* power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

## **Amendment 23**

### **Proposal for a regulation**

#### **Article 1 – point 13**

Regulation (EC) No 111/2005

Article 30b – paragraph 5

#### *Text proposed by the Commission*

5. A delegated act adopted pursuant to **Articles 6(3)** third subparagraph, 7(2), 8(2), 9(2), 11(1) and (3), **12(1)**, (19), **28** and 30a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.

#### *Amendment*

5. A delegated act adopted pursuant to the third subparagraph of **Article 6(1), Article 7(2), Article 8(2), Article 9(2), Article 11(1) and (3) and Articles 19 and 30a** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *two* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or *of* the Council.

## **Amendment 24**

### **Proposal for a regulation**

#### **Article 1 – point 14 a (new)**

Regulation (EC) No 111/2005

Article 32 – paragraph 4 (new)

*Text proposed by the Commission*

*Amendment*

***In Article 32, the following paragraph is added:***

***By 31 December 2017, the Commission shall evaluate the functioning of this Regulation. The Commission shall present its conclusions in a report to the European Parliament and to the Council. Where appropriate, that report shall be accompanied by a legislative proposal to amend this Regulation.***

## **Amendment 25**

**Proposal for a regulation**

**Article 1 – point 16 a (new)**

Regulation (EC) No 111/2005

Annex – Category 4 (new)

*Text proposed by the Commission*

*Amendment*

***(16a) In the Annex, the following category is inserted:***

***"Category 4***

***Medicinal products containing ephedrine or pseudoephedrine"***

## EXPLANATORY STATEMENT

This Commission proposal, amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors, seeks first and foremost to fill a legal lacuna in the regulation.

Drug precursors are licit substances used in the manufacture of drugs. Acetic acid, for example, is used in making heroin. Drug precursors are subject to controls on export, import and transit which are more or less stringent depending on the risk of diversion. Precursors that are subject to control and are listed in the Annex to the regulation are called scheduled substances.

In the existing regulation there are three categories of scheduled substances. Category 1 scheduled substances are subject to strict formalities for export, import and transit, while category 3 scheduled substances are subject to certain formalities only when they are exported to certain countries.

Hitherto, medicinal products have always been excluded from the scope of the regulation. Unfortunately, medicinal products containing ephedrine and pseudoephedrine, used for treating colds, flu symptoms and allergies, are sometimes diverted to synthesise metamphetamines. The fact that medicinal products are excluded from the scope of the regulation makes it harder for Member States to seize or intercept shipments of medicinal products containing ephedrine and pseudoephedrine which have manifestly been diverted.

Accordingly the Commission has decided to include medicines containing ephedrine and pseudoephedrine within the scope of the regulation. While this is a laudable objective, the rapporteur considers that the Commission should have taken a different approach. In the Commission proposal, medicinal products are always excluded from the definition of scheduled substances, so medicines containing ephedrine and pseudoephedrine have not been added to one of the categories of scheduled substances. The Commission has created special rules for these medicines that are unlike any of those laid down for the various categories. These medicines are merely subjected to a notification requirement prior to export.

This means that if a new medicine starts to be used as a drug precursor, the regulation will have to be adjusted using the codecision procedure.. In the fight against drug traffickers an ability to react quickly is essential, and yet we would need more than two years to adjust! Drug traffickers would thus have time to adapt before we had even finished adopting the text. This would prevent us from meeting our objectives of tackling drugs and organised crime as we should.

The rapporteur therefore proposes that medicinal products should be included in the definition of scheduled substances and that a new category of substances should be created so that the controls applicable to scheduled substances can be made a little more flexible. The Annexes would be adjusted by delegated acts, thus enabling the Council to use its veto, if needed, against a Commission decision to add another medicinal product to the list. Furthermore, since the definition of 'scheduled substance' stipulates that precursor must be easily extracted from the mixture in order to be considered as such, the rapporteur considers that this is likely

to significantly restrict the number of medicinal products which may one day be deemed to be scheduled substances, and thus lessen the impact of the regulation on the trade in medicinal products. In fact, it is currently only medicines containing ephedrine and pseudoephedrine which meet this criterion.

Next, the Commission takes advantage of this revision to adapt the regulation to the Treaty of Lisbon, in particular as regards comitology. On the whole, the rapporteur agrees with the Commission as to the powers that should be delegated to it. However, he does not agree about the length of time for which the powers should be delegated. He thinks that delegating powers for a renewable period of five years is more reasonable than delegating them for an indefinite period. The rapporteur is also keen to specify the cases in which delegation of powers applies. While the Commission leaves itself the option of adapting to new trends by means of delegated acts, the rapporteur proposes that this adaptation option should apply only to the addition of new substances. Accordingly, no scheduled substance may be withdrawn from the Annexes without going through the codecision procedure.

Finally, concerning implementing acts, the rapporteur does not agree with the Commission on the choice of procedure. In his view, the advisory procedure would be more reasonable given that only minor acts are concerned and that the fight against drug trafficking calls for an ability to react rapidly.

## PROCEDURE

<b>Title</b>	Trade between the Community and third countries in drug precursors		
<b>References</b>	COM(2012)0521 – C7-0316/2012 – 2012/0250(COD)		
<b>Date submitted to Parliament</b>	27.9.2012		
<b>Committee responsible</b> Date announced in plenary	INTA 22.10.2012		
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	ENVI 22.10.2012	JURI 22.10.2012	LIBE 22.10.2012
<b>Not delivering opinions</b> Date of decision	ENVI 11.10.2012	JURI 10.10.2012	LIBE 11.10.2012
<b>Rapporteur(s)</b> Date appointed	Franck Proust 6.11.2012		
<b>Discussed in committee</b>	23.1.2013	20.2.2013	20.3.2013
<b>Date adopted</b>	25.4.2013		
<b>Result of final vote</b>	+: –: 0:	22 3 2	
<b>Members present for the final vote</b>	William (The Earl of) Dartmouth, Laima Liucija Andrikienė, Nora Berra, Daniel Caspary, María Auxiliadora Correa Zamora, Andrea Cozzolino, George Sabin Cutaş, Metin Kazak, Bernd Lange, David Martin, Vital Moreira, Paul Murphy, Franck Proust, Helmut Scholz, Peter Šťastný, Robert Sturdy, Henri Weber, Iuliu Winkler, Paweł Zalewski		
<b>Substitute(s) present for the final vote</b>	José Bové, Albert Deß, Elisabeth Köstinger, Emma McClarkin, Tokia Saïfi, Marietje Schaake, Peter Skinner, Jarosław Leszek Wałęsa		
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Frédéric Daerden, James Elles, Satu Hassi, Anthea McIntyre, Raimon Obiols		
<b>Date tabled</b>	6.5.2013		