European Parliament
2019-2024

Plenary sitting

B9-0213/2024

10.4.2024

RECOMMENDATION FOR A DECISION

pursuant to Rule 111(6) of the Rules of Procedure

to raise no objections to the Commission delegated regulation of 28 February 2024 amending Regulation (EC) No 273/2004 of the European Parliament and of the Council and Council Regulation (EC) No 111/2005 as regards the inclusion of the drug precursor Isopropylidene (2-(3,4-methylenedioxyphenyl)acetyl)malonate (IMDPAM) and other substances in the list of scheduled substances
(C(2024)01219 - 2024/2606(DEA))

Committee on Civil Liberties, Justice and Home Affairs

Juan Fernando López Aguilar
on behalf of the Committee on Civil Liberties, Justice and Home Affairs

B9-0213/2024

Draft European Parliament decision to raise no objections to the Commission delegated regulation of 28 February 2024 amending Regulation (EC) No 273/2004 of the European Parliament and of the Council and Council Regulation (EC) No 111/2005 as regards the inclusion of the drug precursor Isopropylidene (2-(3,4-methylenedioxyphenyl)acetyl)malonate (IMDPAM) and other substances in the list of scheduled substances
(C(2024)01219 - 2024/2606(DEA))

The European Parliament,

– having regard to the Commission delegated regulation (C(2024)01219),

– having regard to the Commission's letter of 13 March 2024 asking Parliament to declare that it will raise no objections to the delegated regulation,

– having regard to the letter from the Committee on Civil Liberties, Justice and Home Affairs to the Chair of the Conference of Committee Chairs,

– having regard to Article 290 of the Treaty on the Functioning of the European Union,

– having regard to Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004[1] on drug precursors, and in particular Articles 15 and 15a(5) thereof,

– having regard to Council Regulation (EC) No 111/2005 of 22 December 2004[2] laying down rules for the monitoring of trade between the Union and third countries in drug precursors, and in particular Articles 30a and 30b(5) thereof,

– having regard to Rule 111(6) of its Rules of Procedure,

– having regard to the recommendation for a decision of the Committee on Civil Liberties, Justice and Home Affairs,

A. whereas the EU legislative framework on measures to control access to substances used in the manufacture of illicit drugs must be continuously updated to counter the proliferation of the so-called 'designer precursors', which are close chemical relatives of traditional drug precursors created to circumvent existing rules;

B. whereas the sodium salt of Isopropylidene (2-(3,4-methylenedioxyphenyl)acetyl)malonate (IMDPAM) has been identified as a newly developed drug precursor used in the production of MDMA (3,4-methylenedioxymethamphetamine), commonly known as 'ecstasy';

C. whereas seven esters of 2-methyl-3-phenyloxirane-2-carboxylic acid (BMK glycidic acid) and six esters of 3-(1,3-benzodioxol-5-yl)-2-methyl-oxirane-2-carboxylic acid

[1] OJ L 47, 18.2.2004, p.1.
[2] OJ L 22, 26.1.2005, p. 1.

(PMK glycidic acid) have been identified as possible substitutes of BMK glycidic acid and PMK glycidic acid, which are controlled precursors under EU law, in the production of illicit drugs such as MDMA, methamphetamine and amphetamine;

D. whereas it is necessary to amend the list of scheduled substances included in Annex I to Regulation (EC) No 273/2004 and in the Annex to Regulation (EC) No 111/2005 to subject IMDPAM and the identified esters of BMK glycidic acid and PMK glycidic acid to the harmonised control and monitoring measures provided for by those regulations;

E. whereas measures to control access to newly scheduled substances under Regulations (EC) No 273/2004 and (EC) No 111/2005 should enter into force as soon as possible to prevent the use of those drug precursors for the production and placing on the market of illicit drugs;

F. whereas in the EU roadmap to fight drug trafficking and organised crime (COM(2023)0641) the European Commission committed to making every effort, in cooperation with Parliament and Council, to fast-track the adoption procedure of future delegated acts scheduling additional substances under Regulations (EC) No 273/2004 and (EC) No 111/2005;

1. Declares that it has no objections to the delegated regulation;

2. Instructs its President to forward this decision to the Council and the Commission.