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Committee on Civil Liberties, Justice and Home Affairs

2012/0261(COD)

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DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 273/2004 on drug precursors
(COM(2012)0548 – C7-0319/2012 – 2012/0261(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Anna Hedh

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 Regulation (EC) No 273/2004 on drug precursors
(COM(2012)0548 – C7-0319/2012 – 2012/0261(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2012)0548),

– having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0319/2012),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to Rules 55 of its Rules of Procedure,

– having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0000/2013),

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 10

Text proposed by the Commission	*Amendment*
(10) A European database on drug precursors should be created to simplify the reporting by Member States with regard to seizures and stopped shipments, to create a European register of operators and users holding a license or a registration which will facilitate verification of the legitimacy of commercial transactions involving scheduled substances, and to enable operators to provide the competent authorities with information about their	(10) A European database on drug precursors should be created to simplify the reporting by Member States with regard to seizures and stopped shipments, ***where possible in an aggregated and anonymised manner***, to create a European register of operators and users holding a license or a registration which will facilitate verification of the legitimacy of commercial transactions involving scheduled substances, and to enable

legal transactions involving scheduled substances.	operators to provide the competent authorities with information about their legal transactions involving scheduled substances.

Or. en

Justification

To ensure adequate data protection, data on seizures and stopped shipments should, where possible, be reported to the Commission and to the UN should in aggregated and anonymised manner.

Amendment 2

Proposal for a regulation
Recital 11

Text proposed by the Commission	*Amendment*
(11) Regulation (EC) No 273/2004 envisages the processing of ***data***. Such processing of ***data*** may also ***cover*** personal data ***which*** should be carried out in accordance with Union Law.	(11) Regulation (EC) No 273/2004 envisages the processing of ***information***. Such processing of ***information*** may also ***contain*** personal data ***and*** should be carried out in accordance with Union law ***on data protection and, in particular, with requirements relating to data quality, proportionality, purpose limitation, and with rights to information, access, rectification of data, erasure and blocking, organisational and technical measures and international transfers of personal data. Data should be adequate, accurate, relevant and not excessive in relation to the purpose for which it is collected. It should not be processed for longer than necessary in relation to the purpose for which it is collected and its accuracy should be regularly reviewed. Processing of data should be carried out under the supervision of the Member States' competent authorities, in particular the public independent authorities designated by the Member States, as regards processing of personal data carried out in the Member States. It should also be carried out under the***

supervision of the European Data Protection Supervisor, as regards the processing of personal data carried out by the Commission within the framework of this Regulation.

Or. en

Justification

It is important to specify more in detail the essential elements of the data processing operations that are included in this Regulation. While most data processing will apply to companies or legal persons, in many cases natural persons will be also identifiable. This amendment takes into account recommendations made by the EDPS.

Amendment 3

Proposal for a regulation
Recital 15

Text proposed by the Commission	*Amendment*
(15) In order to achieve the objectives of Regulation (EC) No 273/2004, 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 to specify the requirements and conditions for the granting of the licence and registration, for obtaining and using customer declarations, for the documentation and labelling of mixtures, for provision of information by the operators on transactions involving scheduled substances, for listing operators and users having obtained a licence or registration in the European register and in order to amend the Annexes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.	(15) In order to achieve the objectives of Regulation (EC) No 273/2004, 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 to specify the requirements and conditions for the granting of the licence and registration, for obtaining and using customer declarations, for the documentation and labelling of mixtures, for provision of information by the operators on transactions involving scheduled substances, for listing operators and users having obtained a licence or registration in the European register and in order to amend the Annexes. ***Delegated acts, under Article 290 of the Treaty on the Functioning of the European Union, should also be used to determine those categories of personal data which can be processed by Member States and operators pursuant to this Regulation, categories of personal data which can be stored in the European database, the procedures by which data subjects can***

exercise their rights to information, access, rectification, erasure or blocking of personal data processed in the European database, and the categories of personal data which should be processed by operators for reporting unusual or suspected transactions. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, ***and that it seek the opinion of the European Data Protection Supervisor when preparing delegated acts relating to the processing of personal data pursuant to this Regulation.***

Or. en

Justification

It is important to specify more in detail the essential elements of the data processing operations that are included in this Regulation. While most data processing will apply to companies or legal persons, in many cases natural persons will be also identifiable. This amendment takes into account recommendations made by the EDPS.

Amendment 4

Proposal for a regulation
Article 1 – point 2 – point a)
Regulation (EC) No 273/2004
Article 3 – paragraph 2

Text proposed by the Commission	*Amendment*
2. Operators and users shall be required to obtain a licence from the competent authorities before they may possess or place on the market scheduled substances of category 1 of Annex I. Special licences may be granted by the competent authorities to pharmacies, dispensaries of veterinary medicine, certain types of public authorities or armed forces. Such special licences shall only be valid for the use of scheduled substances of category 1 of Annex I within the scope of the official duties of the operators concerned.	2. Operators and users shall be required to obtain a licence from the competent authorities ***of the Member State in which they are domiciled or established*** before they may possess or place on the market scheduled substances of category 1 of Annex I. Special licences may be granted by the competent authorities to pharmacies, dispensaries of veterinary medicine, certain types of public authorities or armed forces. Such special licences shall only be valid for the use of scheduled substances of category 1 of Annex I within the scope of

	the official duties of the operators concerned.

Or. en

Justification

Operators should be discouraged from "shopping around" in the EU for the competent authorities with the lightest licensing/registration regime.

Amendment 5

Proposal for a regulation
Article 1 – point 2 – point c)
Regulation (EC) No 273/2004
Article 3 – paragraph 6

Text proposed by the Commission	*Amendment*
6. From *[18 months after the date of publication]* operators shall be required to obtain a registration from the competent authorities before placing on the market scheduled substances of category 2 of Annex I. Furthermore, users shall be required to obtain a registration from the competent authorities before possessing scheduled substances of subcategory 2A of Annex I. Special registrations may be granted by competent authorities to pharmacies, dispensaries of veterinary medicine, certain types of public authorities or the armed forces. Such registrations shall be considered valid only for the use of scheduled substances of category 2 of Annex I within the scope of the official duties of the operators or users concerned.	6. From ...* operators shall be required to obtain a registration from the competent authorities ***of the Member State in which they are domiciled or established*** before placing on the market scheduled substances of category 2 of Annex I. Furthermore, users shall be required to obtain a registration from the competent authorities before possessing scheduled substances of subcategory 2A of Annex I. Special registrations may be granted by competent authorities to pharmacies, dispensaries of veterinary medicine, certain types of public authorities or the armed forces. Such registrations shall be considered valid only for the use of scheduled substances of category 2 of Annex I within the scope of the official duties of the operators or users concerned.
	_____
	** OJ please insert date: 18 months after the date of entry into force of this Regulation.*

Or. en

Justification

Operators should be discouraged from "shopping around" in the EU for the competent authorities with the lightest licensing/registration regime.

Amendment 6

Proposal for a regulation
Article 1 – point 2 – point f
Regulation (EC) No 273/2004
Article 3 – paragraph 9

Text proposed by the Commission	*Amendment*
9. The Commission shall be empowered to adopt delegated acts in accordance with Article 15a concerning:	9. The Commission shall be empowered to adopt delegated acts in accordance with Article 15a concerning:
(a) the requirements and conditions for the granting of the licence referred to in paragraph 2;	(a) the requirements and conditions for the granting of the licence referred to in paragraph 2***, and the categories of data, including of personal data, to be provided***;
(b) the requirements and conditions for the granting of the registration referred to in paragraph 6	(b) the requirements and conditions for the granting of the registration referred to in paragraph 6 ***and the categories of data, including of personal data, to be provided***; ***and***
(c) the requirements and conditions for listing operators an users having obtained a licence or registration in a European Database on drug precursors referred to in paragraph 8.	(c) the requirements and conditions for listing operators an users having obtained a licence or registration in a European Database on drug precursors referred to in paragraph 8.
	The categories of personal data referred to in points (a) and (b) of the first subparagraph shall not include sensitive data within the meaning of Article 8 of Directive 95/46/EC.

Or. en

Justification

It is important to specify more in detail the essential elements of the data processing operations that are included in this Regulation. Furthermore, the processing of sensitive data should be explicitly excluded, inter alia, where Member States evaluate the competence and integrity of applicants for licences or registration. This amendment takes into account recommendations made by the EDPS.

Amendment 7

Proposal for a regulation
Article 1 – point 3a (new)
Regulation (EC) No 273/2004
Article 5 – paragraph 5

Text proposed by the Commission	*Amendment*
	(3a) In Article 5, paragraph 5 is replaced by the following:
	"5. The documentation and records referred to in paragraphs 1 to 4 shall be kept for at least *two years* from the end of the calendar year in which the transaction referred to in paragraph 1 took place, and must be readily available for inspection by the competent authorities upon request."

Or. en

Justification

The UN Convention on which this obligation is based requires the documentation to be retained for a period of only two years. No clear reason is established for retaining all documentation in the EU for at least three years.

Amendment 8

Proposal for a regulation
Article 1 – point 6
Regulation (EC) No 273/2004
Article 8 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. The competent authorities shall use the information provided for the purposes of preventing the diversion of scheduled substances.

Or. en

Justification

To ensure adequate data protection,it is necessary to establish the purpose for which the information and personal data under this Regulation will be processed (purpose limitation). A similar provision is also included in the proposal for amending Regulation 1125/2005 (Article 9(1)(extra-EU trade Regulation). This amendment takes account of recommendations made by the EDPS.

Amendment 9

Proposal for a regulation
Article 1 – point 6
Regulation (EC) n)273/2004
Article 8 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The Commission shall be empowered to adopt delegated acts in accordance with Article 15a concerning the requirements and conditions for operators to provide information as referred to in paragraph 2."	3. The Commission shall be empowered to adopt delegated acts in accordance with Article 15a concerning the requirements and conditions for operators to provide information***, the categories of personal data to be processed for that purpose, and the safeguards for the processing of that personal data,*** as referred to in paragraph 2."

Or. en

Justification

The categories of personal data which will be processed for this purpose must be specified. Since the proposal does not specify those categories, this should be done by means of delegated acts. This amendment takes account of recommendations of the EDPS.

Amendment 10

Proposal for a regulation
Article 1 – point 6
Regulation (EC) No 273/2004
Article 8 – paragraph 3a (new)

Text proposed by the Commission	*Amendment*
	3a. Operators shall not disclose personal data processed pursuant to this Article to recipients other than the competent

authorities.

Or. en

Justification

Since the processing of suspected transactions and offences is restricted and subject to special safeguards under data protection law (Directive 95/46/EC, Article 8(5)),of disclosure of suspected transactions to any recipient other than the competent authorities must be prohibited. This amendment takes account of recommendations made by the EDPS.

Amendment 11

Proposal for a regulation
Article 1 – point 9
Regulation (EC) No 273/2004
Article 13a – introductory part

Text proposed by the Commission	*Amendment*
The Commission shall ***develop*** a European Database on drug precursors with the following functions:	***Following the adoption of the delegated acts referred to in Article 3(9),*** the Commission shall ***establish*** a European Database on drug precursors with the following functions:

Or. en

Justification

It is very important first to establish the rules concerning requirements and conditions, including requirements on data protection, before establishing the Database.

Amendment 12

Proposal for a regulation
Article 1 – point 9
Regulation (EC) No 273/2004
Article 13a – point a

Text proposed by the Commission	*Amendment*
(a) facilitating the communication of information pursuant to Article 13(1), its synthesis and analysis on the level of the Union, and the reporting to the	(a) facilitating the communication of information***, where possible in an aggregrated and anonymised manner,*** pursuant to Article 13(1), its synthesis and

International Narcotics Control Board pursuant to Article 13(2);	analysis on the level of the Union, and the reporting to the International Narcotics Control Board pursuant to Article 13(2);

Or. en

Justification

To ensure adequate data protection, data on seizures and stopped shipments should, where possible, be reported to the Commission and to the UN should in aggregated and anonymised manner.

Amendment 13

Proposal for a regulation
Article 1 – point 9
Regulation (EC) No 273/2004
Article 13a – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. The Commission and the competent authorities shall take all necessary measures to ensure the security, confidentiality and accuracy of the information contained in the European Database.

Or. en

Justification

Since the new EU Database will have several functions and might be expanded in the future, it is of the utmost importance that the security, (business) confidentiality and accuracy of all information contained in it, will be ensured. This amendment takes into account recommendations made by both the EESC and EDPS.

Amendment 14

Proposal for a regulation
Article 1 – point 9
Regulation (EC) No 273/2004
Article 13a – paragraphs 1 b, 1 c and 1 d (new)

Text proposed by the Commission	*Amendment*
	1b. Information obtained pursuant to this Regulation, including personal data, shall be used solely for the purpose of this Regulation and shall not be retained for longer than necessary for that purpose. Processing of the special categories of data referred to in Article 8(1) of Directive 95/46/EC and in Article 10(1) of Regulation (EC) No 45/2001 shall be prohibited. Interconnection or correlation of personal data contained in the European Database with other databases for different purposes shall be prohibited.
	1c. A data subject shall be provided with information concerning the purposes of the processing and retention of data, the categories of data processed and retained, the identity of the controller of the data, the identity of the recipients of the data, information regarding the right of access, rectification or erasure of the data subject's personal data, the administrative and judicial remedies available and the contact details of the supervisory authority referred to in Article 13b(1).
	1d. The Commission shall make publicly available a comprehensive privacy notice concerning the European Database in accordance with Articles 10 and 11 of Regulation (EC) No 45/2201, in a clear and understandable manner.

Or. en

Justification

It is important to specify more in detail the essential elements of the data processing operations that are included in this Regulation. While most data processing will apply to companies or legal persons, in many cases natural persons will be also identifiable. This amendment takes into account recommendations made by the EDPS opinion. The wording is in line with existing Community legislation (e.g. provisions in IMI Regulation (EC) No 1024/2012).

Amendment 15

Proposal for a regulation
Article 1 – point 10
Regulation (EC) No 273/2004
Article 13b – paragraph 1

Text proposed by the Commission	*Amendment*
1. The processing of personal data by the competent authorities *in the Member States* shall be carried out in accordance with Directive 95/46/EC and under the supervision of the *public independent* authority of the Member State referred to in Article 28 of *this* Directive.	1. The processing of personal data by the competent authorities shall be carried out in accordance with Directive 95/46/EC and under the supervision of the *supervisory* authority of the Member State *as* referred to in Article 28 of *that* Directive. ***The latter shall ensure that the rights of data subjects are protected in accordance with Directive 95/46/EC***.

Or. en

Justification

This amendment clarifies that the data protection authorities shall ensure that the rights of data subjects are protected. The amendment takes into account recommendations made by the EDPS. The wording is similar to existing Community legislation (e.g. provisions in IMI Regulation (EC) No 1024/2012).

Amendment 16

Proposal for a regulation
Article 1 – point 10
Regulation (EC) No 273/2004
Article 13b – paragraph 2

Text proposed by the Commission	*Amendment*
2. The processing of personal data by the Commission, including for the purpose of the European Database provided for in Article 13a, shall be carried out in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council and under the supervision of the European Data Protection Supervisor.	2. The processing of personal data by the Commission, including for the purpose of the European Database provided for in Article 13a, shall be carried out in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council and under the supervision of the European Data Protection Supervisor. ***The European Data Protection Supervisor shall ensure that the rights of data***

subjects relating to the processing in the European Database are protected in accordance with Regulation (EC) No 45/2001.

Or. en

Justification

This amendment clarifies that the data protection authorities shall ensure that the rights of data subjects are protected. The amendment takes into account recommendations made by the EDPS. The wording is similar to existing Community legislation (e.g. provisions in IMI Regulation (EC) No 1024/2012).

Amendment 17

Proposal for a regulation
Article 1 – point 10
Regulation (EC) No 273/2004
Article 13b – paragraphs 2a (new)

Text proposed by the Commission	*Amendment*
	2a. The public independent authorities of the Member States referred to in paragraph 1 and the European Data Protection Supervisor, each acting within the scope of their competences, shall cooperate actively and shall ensure coordinated supervision of the processing of personal data, including for the purpose of the European Database provided for in Article 13a.

Or. en

Justification

This amendment aims at ensuring cooperation between the national data protection authorities and the EDPS for the proper monitoring of the processing activities carried out in the framework of the EU Database. The system of coordinated supervision has already been established in several EU legal instruments, namely IMI Regulation, Eurodac, VIS or SIS II.

Amendment 18

Proposal for a regulation
Article 1 – point 10a
Regulation (EC) n)273/2004
Article 13 c) (new)

Text proposed by the Commission	*Amendment*
	(10a) The following Article 13c is inserted:
	"Article 13c ***Delegated acts***
	The Commission shall be empowered to adopt delegated acts in accordance with Article 15a in respect of the categories of personal data to be processed for the purpose of the European Database, the retention period for personal data processed, the procedures by which data subjects can exercise their rights to access, rectify, erase and, where appropriate, object and block data."

Or. en

Justification

Data protection law, the various elements of processing personal data, including the exercise of rights by data subjects, must be specified in delegated acts. This amendment takes into account recommendations made by the EDPS.

Amendment 19

Proposal for a regulation
Article 1 – point 11
Regulation (EC) No 273/2004
Article 14 – paragraph 1 – point b a (new)

Text proposed by the Commission	*Amendment*
	(ba) the standard form for providing the privacy notice referred to in Article 13a;

Or. en

Justification

Data protection law, the various elements of processing personal data, including the exercise of rights by data subjects, must be specified in delegated acts. This amendment takes into account recommendations made by the EDPS.

Amendment 20

Proposal for a regulation
Article 1 – point 12
Regulation (EC) No 273/2004
Article 16 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The Commission shall evaluate the implementation and functioning of this Regulation by [78 months after of the date of entry into force of this amending Regulation]."	***deleted***

Or. en

Justification

It is important to have a proper review of the revised Regulation and to keep a close eye on further developments of drug precursors, including non-scheduled substances. This amendment takes account of the views of the EESC.

Amendment 21

Proposal for a regulation
Article 1 a (new)

Text proposed by the Commission	*Amendment*
	Article 1a
	Review
	By ...*, the Commission shall submit a report to the European Parliament and to the Council on the implementation and functioning of Regulation (EC) No 273/2004 , and in particular on the possible need for additional action to monitor and control suspicious transactions with non-scheduled

substances.

_____

**** OJ please insert date: three years after the date of entry into force of this Regulation.***

Or. en

Justification

It is important to have a proper review of the revised Regulation and to keep a close eye on further developments of drug precursors, including non-scheduled substances. Furthermore, the timing of the review has been aligned with that of the original regulation. This amendment takes account of the views of the EESC.

EXPLANATORY STATEMENT

Drug precursors are chemicals which are widely used for different industrial processes (in the production of plastics, pharmaceuticals, cosmetics, perfumes or detergents), but which can also be misused for illegal drug production. Drug precursors are rarely produced by criminals who intend to use them for illegal drug production, since the manufacture of drug precursors requires substantial infrastructure. Instead, those criminals often try to divert the legal trade in drug precursors, either by theft or via purchase.

The existing regulatory framework has therefore set up a system of licensing and registration to monitor the trade in drug precursors in the EU, with specific obligations imposed on the companies involved (these include preventing theft, checking customers, and detecting suspicious transactions) and on public authorities (these include administrative procedures and on-site inspections). The level of control depends on the category of the substance in question. Based on global UN rules, 23 so-called "scheduled substances" are divided into 3 categories, from the most dangerous substances (category 1) to bulk chemicals (category 3). These categories are complemented by a voluntary monitoring scheme for "non-scheduled substances".

In the past few years, the EU has come under some international criticism for its allegedly soft control measures. The criticism has concentrated on one substance acetic anhydride ('AA'), which is currently contained in category 2. AA is used legally for the production of plastics, textiles, dyes, photochemistry, perfumes, explosives and aspirin, but can also be used illegally for the production of heroin, amphetamine and cocaine. It is the main drug precursor for heroin (which, in turn, accounts for the greatest share of mortality-related drug use in the EU).

In a recent "EU drug markets report", prepared out by the EMCDDA and EUROPOL, specific attention was drawn to the illicit diversion of AA in the EU by sophisticated criminal organisations.[1]

The Commission's proposal seeks to address the problem of illegal diversion of drug precursors in 3 ways:
* Better monitoring of the trade in AA:
The Commission proposes to create a new sub-category, with requirements that are more stringent than for category 2 substances, but not as stringent as those that apply for category 1 substances. Most importantly, end-users of AA will now have to register with the competent authorities, Up to now, only the manufacturers and operators handling AA had to register;
* Rules on registration are strengthened:
The Commission proposes to tighten up the definitions used, and to introduce more harmonised conditions/requirements for registration. It also proposes to create the necessary flexibility to adapt categories to changing circumstances;
* Establishment of European Database on Drug Precursors:
The Commission proposes to set up a new EU-wide database with information on seizures of drug precursors in the EU, and with a list of all licensed or registered operators and end-users of drug precursors in the EU.

[1] EU drug markets report: a strategic analysis, EMCDDA/Europol, January 2013

Your Rapporteur broadly supports the proposal. Since only small quantities of drug precursors are required for the production of illegal drugs, and since such precursors are produced globally in vast quantities, great care is needed to ensure that those drug precursors are not diverted from the legal trade in the EU. EU action in this field will therefore force traffickers to move their activities to other parts of the world, and will hopefully encourage other regions in the world to follow the EU's example.

It is very important that a drug precursor such as AA, which is a critical component for heroin production, does not fall into the wrong hands. The quantities of AA seized in Europe in 2008 would have satisfied approximately half the yearly Afghan demand for AA, for use in heroin production. The Commission appears to have carefully considered the options open to it and to have chosen a practical and proportionate solution. The proposal allows for legal trade in, and lawful use of, acetic anhydride, without imposing unnecessary administrative burdens on enterprises. At the same time, it allows the competent authorities to more closely monitor trade flows to detect and stop illegal diversion.

Your rapporteur believes that the proposal contains valuable improvements on the current situation. The introduction of delegated acts will give the Commission the necessary flexibility to react quickly to changing circumstances and to tackle inventive drug-traffickers, while ensure proper parliamentary oversight of any changes. The streamlining and harmonisation of registration and licensing requirements across the EU is to be supported to prevent market fragmentation and to prevent criminals from targeting the "weakest link" within the EU internal market. Finally, the setting up of the European Database is to be welcomed, as it will create the necessary transparency and enhance the monitoring of all drug precursors in the EU.

While supporting the general line of the Commission's proposal, your rapporteur proposes to strengthen certain elements. In relation to the data protection issues, your rapporteur proposes to enhance and clarify the use and processing of data and to restrict access to the database. Your rapporteur seeks to discourage operators and users from "shopping around" in the EU for the lightest registration regime, and proposes that a close eye be kept on further developments of drug precursors, including non-scheduled substances.