WORLD TRADE ORGANIZATION

G/TBT/N/EU/1023

26 October 2023

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	**Notifying Member:** EUROPEAN UNION **If applicable, name of local government involved (Article 3.2 and 7.2):**
2.	**Agency responsible:** European Commission **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** European Commission, EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/en/
3.	**Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:**
4.	**Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Chemical substances classified as drug precursors.
5.	**Title, number of pages and language(s) of the notified document:** Draft Commission Delegated Regulation 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 (IMDPAM) and other substances in the list of scheduled substances; (6 page(s), in English), (3 page(s), in English)
6.	**Description of content:** This draft Commission Regulation adds isopropylidene (IMDPAM) and certain esters of two scheduled substances to Category 1 of the list of scheduled substances in Regulation (EC) No 111/2005. Operators will have the obligation to hold a licence for category 1. They will also have special labelling requirements for any packaging containing this substance according to Article 5 of the Regulation.
7.	**Objective and rationale, including the nature of urgent problems where applicable:** IMDPAM is a pre-precursor in the production of MDMA. The use of these drugs poses significant risk to human health. The identified esters of the two already scheduled substances can easily replace them in the illicit manufacture of drugs. As there is no known legal use for IMDPAM and the respective esters, their inclusion in Category 1 of drug precursors in Regulation (EC) No 111/2005 is not expected to have an impact on trade; Protection of human health or safety

8.	**Relevant documents:** Article 12 of the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 19.12.1988; Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Union and third countries in drug precursors. http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1426599802066&uri=CELEX:32005R0111
9.	**Proposed date of adoption:** January 2024 **Proposed date of entry into force:** The provisions will enter into force and apply 20 days after their publication in the Official Journal of the EU. Given that no legal use for IMDPAM except research is known, no transitional period is envisaged.
10.	**Final date for comments:** 60 days from notification
11.	**Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:** European Commission, EU-TBT Enquiry Point, Fax: + (32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu The text is available on the EU-TBT Website : http://ec.europa.eu/growth/tools-databases/tbt/en/ https://members.wto.org/crnattachments/2023/TBT/EEC/23_13173_00_e.pdf https://members.wto.org/crnattachments/2023/TBT/EEC/23_13173_01_e.pdf