Regulation (EC) No 273/2004

on drug precursors

EU-Serbia screening exercise, 19 June 2014

Regulation 273/2004 of 11 February 2004

- Has been recently amended by Regulation (EU) No 1258/2013, which entered into force on 30 December 2013

- Is closely linked to Regulation (EC) No 111/2005 on trade between the EU and third countries in drug precursors

- These two Regulations have a common implementing legislative tool, Commission Regulation (EC) No 1277/2005

Main objectives

To implement in the EU the requirements of Article 12 of the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

To establish harmonised rules for the intra-Union control and monitoring of transactions of so-called Drug Precursors depending on the sensitivity of the drug precursors concerned

Main objectives, cont.

To prevent their diversion by traffickers towards production of illicit drugs, while still allowing legitimate trade in those substances

To build on the key principle of partnership between authorities and economic operators in identifying diversion attempts

Explanatory introduction

Drug precursors are mainly chemical substances used in illicit manufacture of drugs such as cocaine, heroin, ecstasy or methamphetamines. However, these chemicals have primarily large and varied legitimate uses, for example in the production of plastics, pharmaceuticals, cosmetics, perfumes, detergents or aromas. Effective control of the legitimate trade of these chemicals is the best way of fighting against their diversion for illicit drug manufacture.

Main provisions

- Definitions (scheduled substances are the 24 listed in Annex I, as well as mixtures and natural products containing them – but excluding medicinal products and veterinary medicinal products)

- Requirements for placing on the market of scheduled substances (responsible officer, licence, registration)

- Customer declaration

Main provisions, cont.

- Documentation (which transactions, which kind of information, in which form and for how long)

- Exemptions

- Labelling

- Notification duty (operators must inform competent authorities of suspicious transactions, and provide information on their activities involving scheduled substances)

Main provisions, cont.

- Guidelines

- Powers and obligations of national competent authorities

- Cooperation between Member States and the Commission

- Penalties

- Communication from Member States (seizures and stopped shipments, licit trade; Commission shall submit this information to INCB)

Main provisions, cont.

- *European Database on Drug Precursors*
- *Data protection*
- *Implementing and delegated acts (for example, to add new substances to the list of scheduled substances)*
- *Annex I – List of Scheduled Substances (Category 1 – 13 substances; Category 2A – 1 substance, users registration; Category 2B – 4 substances; Category 3 – 6 substances)*

Main provisions, cont.

- Annex II – Tolerance thresholds for Category 2 substances

- Annex III – Model format for customer declaration

Thank you for your attention!

Dedicated web-page:

http://ec.europa.eu/enterprise/sectors/chemicals/documents/specific-chemicals/precursors/index_en.htm