



IRISH MEDICINES BOARD

Precursor Chemicals

Overview of the EU Control System

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IMB

Precursor Chemicals

What is meant by the Term Precursor Chemical ?

- Substances misused for the illicit manufacture of narcotic drugs and psychotropic substances.
- Substances have many uses in industrial and pharmaceutical purposes.
- Smuggled or diverted from licit trade.
- Legally termed “Scheduled Substance”.



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Diversion from licit trade can take two main forms:-

- Purchase from manufacturers or distributors who are located either inside or outside the customs territory of the European Union.
- Theft from premises or vehicles of manufacturers, distributors or transporters.



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Legislation

- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention) of 1988. Article 12 of that Convention specifically deals with drug precursors.
- Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors.



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Legislation Continued

- Council Regulation (EC) No 273/2004 of the Council and the European Parliament of 11 February 2004 on drug precursors.
- Commission Regulation (EC) No 1277/2005 of 27 July 2005 laying down implementing rules for Regulation (EC) No 273/2004 and Regulation (EC) No 111/2005.



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Legislation Continued

- European Communities (Control of Drug Precursors) Regulations 2009 (SI 558 of 2009)

In Jan 2010 IMB nominated as Competent Authority for

- Licensing
- Registration
- Import/Export Authorisation
- Annual & Quarterly Reporting
- Inspection

Enforcement powers provided to Garda Siochana,
Customs & IMB



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Legislation Continued

- IMB regular attendee at the EU Drugs Precursor Committee also attended by Customs & DoHC
- Committee meets twice per year
- Focus of discussion
 - Administration of the control system
 - Trends & topical issues
 - Development of new legislation
 - International liaison as relevant to precursors



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Scheduled Substance

Legal Definition

- *“Any substance listed in the Annexes to the Regulations, including mixtures and natural products containing such substances. This excludes medicinal products, pharmaceutical preparations, mixtures, natural products and other preparations containing the substances that are compounded in such a way that they cannot be easily used or extracted by readily applicable or economically viable means.”*



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- **Category 1** covers the most sensitive substances (the “key” drug precursors).
- **Category 2** covers less sensitive substances and “pre-precursors”.
- **Category 3** covers bulk chemicals that can have different types of uses in the manufacturing process (feedstock, but also solvents, impurity remover...).



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Scheduled Substances EU & UN Systems

Category 1	Ephedrine Pseudoephedrine Ergotmetrine Ergotamine Lyseric Acid 3,4 Methylendioxyphenylpropan-2-one 1-Phenyl-2-Propanone N-acetylanthranilic acid	Norephedrine Isosafrole Piperonal Safrole	UN Table 1	Ephedrine Pseudoephedrine Ergotmetrine Ergotamine Lyseric Acid 3,4 Methylendioxyphenylpropan-2-one 1-Phenyl-2-Propanone N-acetylanthranilic acid Acetic Anhydride Potassium permanganate	Norephedrine Isosafrole Piperonal Safrole
Category 2	Acetic Anhydride Phenylacetic acid Anthranilic Acid Piperidine Potassium permanganate		UN Table 2	Phenylacetic acid Anthranilic Acid Piperidine Hydrochloric acid Sulphuric acid Toluene Ethyl ether Acetone Methylethylketone	
Category 3	Hydrochloric acid Sulphuric acid Toluene Ethyl ether Acetone Methylethylketone				

Precursor Chemicals

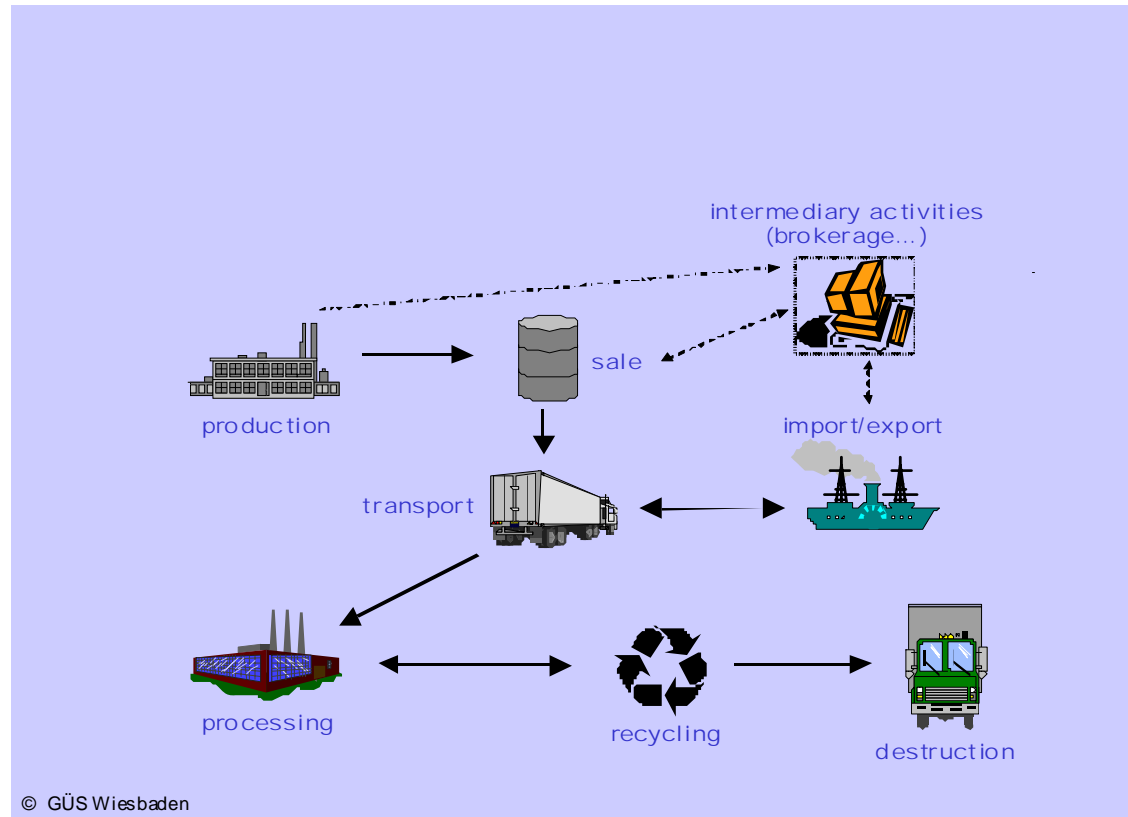
Illegal Sources

- Diversion from licit sources.
- Smuggling.
- Self-production.



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Category 1

Category 2

Category 3

Common obligations

(external / intra Community trade)

Notify suspicious transactions or orders

...to the competent authorities

Appoint a responsible officer

...who ensures compliance with legislation

Secure premises

...against theft

Obtain a licence

Register premises

...with the authorities

Register premises

...only in the case of export

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Precursor Chemicals

Category 1

Category 2

Category 3

External trade

Report annually to the competent authorities

...on exports, imports, intermediary activities

Document and label all transactions

...and keep records for 3 years

Obtain an export authorisation

**...Only for certain
countries of
destination**

**Obtain an import
authorisation**



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Precursor Chemicals

	Category 1	Category 2	Category 3
Intra Community trade	Report annually to the competent authorities <i>...on quantities used and supplied, and customers</i>		...Only upon request
	Document and label all transactions <i>...and keep records for 3 years</i>		
	Obtain a customer declaration <i>...per substance, indicating its uses, and the name and address of the customer</i>		
	Supply only to customers holding a licence		



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Voluntary Monitoring

EU MONITORED SUBSTANCE	REQUESTED COOPERATION
<p>Allylbenzene Benzaldehyde Benzyl Chloride (Controlled under MDA) 1,4-Butanediol Ethylamine Formamide Gamma-Butyrolactone (Controlled under MDA) Lithium Aluminium Hydride Methylamine Nitroethane 4- (Methylthio)-Benzaldehyde 4- (Methylthio)-Phenylacetic Acid Platinum Oxide Red Phosphorous</p>	<ul style="list-style-type: none">• Disclose Information• Notify Suspicious Transactions• Raise Awareness• Establish Internal Procedures