

COMMISSION DIRECTIVE 93/46/EEC

of 22 June 1993

replacing and modifying the Annexes to Council Directive 92/109/EEC on the manufacture and placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 92/109/EEC of 14 December 1992 on the manufacture and placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances⁽¹⁾, and in particular Article 10 (3) thereof,

Whereas it is necessary to give effect to the decision taken by the United Nations Commission on Narcotic Drugs in April 1992 to include the substances sagfrole, piperonal and isosafrole in Table I of the Annex to the 1988 UN Convention by transferring the said substances from category 2 to category 1 in Annex I of the Directive, and by removing them from Annex II;

Whereas such transfer will align the Directive with Council Regulation (EEC) No 3677/90⁽²⁾ of 13 December 1990 laying down measures to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances as amended by Regulation (EEC) No 900/92⁽³⁾, and implemented and amended by Commission Regulation (EEC) No 3769/92⁽⁴⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I and II to Directive 92/109/EEC shall be replaced by Annexes I and II to this Directive.

Article 2

Member States shall take the measures necessary to comply with this Directive before 1 July 1993. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 22 June 1993.

For the Commission

Martin BANGEMANN

Member of the Commission⁽¹⁾ OJ No L 370, 19. 12. 1992, p. 76.⁽²⁾ OJ No L 357, 20. 12. 1990, p. 1.⁽³⁾ OJ No L 96, 10. 4. 1992, p. 1.⁽⁴⁾ OJ No L 383, 29. 12. 1992, p. 17.

ANNEX I

CATEGORY 1

Substance	CN denomination (if different)	CN code
Ephedrine		2939 40 10
Ergometrine		2939 60 10
Ergotamine		2939 60 30
Lysergic acid		2939 60 50
1-Phenyl-2-propanone	Phenylacetone	2914 30 10
Pseudoephedrine		2939 40 30
Acetylanthranilic acid.	2-Acetamidobenzoic acid	2924 29 50
3,4-Methylenedioxyphenylpropan-2-one		2932 90 77
Isosafrole (cis + trans)		2932 90 73
Piperanol		2932 90 75
Safrole		2932 90 71

The salts of the substances listed in this Category whenever the existence of such salts is possible.

CATEGORY 2

Substance	CN denomination (if different)	CN code
Acetic anhydride		2915 24 00
Anthranilic acid		2922 49 50
Phenylacetic acid		2916 33 00
Piperidine		2933 39 30

The salts of the substances listed in this Category whenever the existence of such salts is possible.

CATEGORY 3

Substance	CN denomination (if different)	CN code
Acetone (*)		2914 11 00
Ethyl ether (*)	Diethyl ether	2909 11 00
Methylethylketone (MEK) (*)	Butanone	2914 12 00
Toluene (*)		2902 30 10(90)
Potassium permanganate (*)		2841 60 10
Sulphuric acid		2807 00 10
Hydrochloric acid	Hydrogen chloride	2806 10 00

(*) The salts of these substances whenever the existence of such salts is possible.

ANNEX II

Substance	Threshold
Acetic anhydride	20 l
Anthranilic and its salts	1 kg
Phenylacetic acid and its salts	1 kg
Piperidine and its salts	0,5 kg