

Message 001

Communication from the Commission - TRIS/(2026) 1850

Directive (EU) 2015/1535

Notification: 2026/0354/SK

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261850.EN

1. MSG 001 IND 2026 0354 SK EN 10-07-2026 SK NOTIF

2. Slovakia

3A. Úrad pre normalizáciu, metrológiu a skúšobníctvo SR

Odbor skúšobníctva a európskych záležitostí

Centrálna jednotka pre smernicu (EÚ) 2015/1535

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3B. Ministerstvo zdravotníctva Slovenskej republiky

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4. 2026/0354/SK - S70E - Hazardous substances and preparations

5.

Draft Act on new psychoactive substances and on amendments to certain acts

6. New psychoactive substances and products that contain them or are intended for the placing on the market, distribution, sale, advertising or other forms of making such substances available to consumers.

7.

8. The draft Act creates a new legal framework for the identification, expert assessment and regulation of new psychoactive substances. It governs the procedures for their seizure, expert evaluation, regulation and handling, as well as penalties for breaches of obligations. The draft includes the use of generic groups of substances, which make it possible to respond more flexibly to developments in the market for new psychoactive substances.

9. The adoption of the draft Act is necessary in order to ensure a high level of protection of public health and safety and to close the regulatory gap for new psychoactive substances that are not covered by existing legislation. The draft also takes into account developments at the level of the European Union and the early warning system for new psychoactive substances.

9a. The draft legislation addresses the risks associated with the emergence of new psychoactive substances that are not covered by existing legislation. It establishes a legal framework for their expert assessment and regulation with the aim of protecting public health and safety. The draft provides for a systematic approach to the regulation of new psychoactive substances.

9b. Current legislation does not allow for a sufficiently flexible response to the rapidly evolving market for new psychoactive substances. The draft Act closes this regulatory gap and establishes a specific legal framework for new psychoactive substances. The use of generic groups allows for more flexible regulation without the need for frequent legislative amendments.

9c. The proposed measures are proportionate to the objective pursued, namely the protection of public health and safety. The regulation applies only to new psychoactive substances that meet the conditions laid down by the Act. The protection of public health and safety justifies proportionate restrictions on the free movement of goods in the internal market.

10. Reference to the basic texts: No basic text(s) available

11. Yes

12. Exceptionally urgent and unforeseeable circumstances related to the protection of public health and public safety, resulting from the accelerated and demonstrably worsening developments in the market for new psychoactive substances in Slovakia and in EU Member States. The emergence of new chemical derivatives of psychoactive substances has recently accelerated; these derivatives are distributed primarily through online platforms and illegal distribution networks. These substances often evade the existing regulatory framework based on the scheduling of individual substances, as they are placed on the market

through minimal chemical modifications of known substances. The enforcement practice of the supervisory authorities shows an increase in cases involving these substances, which are not covered by the existing list of controlled substances, thereby posing an immediate and significant risk to public health, particularly among minors and young persons. The urgency of adopting this legislation stems from the need to put in place, without delay, an effective legal framework enabling the prompt identification and regulation of new psychoactive substances and the restriction of their distribution. If the adoption of the legislation is delayed by the standard three-month period, there is a real risk of the further proliferation of these substances on the market, which could lead to an increase in acute intoxications and endanger public health. The existing regulatory mechanism for scheduling individual substances has, in practice, proved to be insufficiently flexible given the speed at which new derivatives are emerging, thus preventing the State from responding in a timely manner.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

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