

Message 001

Communication from the Commission - TRIS/(2026) 0601

Directive (EU) 2015/1535

Notification: 2026/0098/NL

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 késésekét - 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: 20260601.EN

1. MSG 001 IND 2026 0098 NL EN 02-03-2026 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën

Douane - Dienst CDIU

3B. Ministerie van Volksgezondheid, Welzijn en Sport, Directie Wetgeving & Juridische Zaken

4. 2026/0098/NL - X00M - GOODS AND MISCELLANEOUS PRODUCTS

5. Decree amending Lists I and IA of the Opium Act in connection with the addition of a substance to List I and the addition of a substance group to List IA

6. The substance isotonitazepyne

The group of substances benzimidazole opioids (nitazenes)

7.

8. This decree adds the substance isotonitazepyne to List I of the Opium Act and adds the substance group nitazenes to List IA of the Opium Act.

The decree may contain technical requirements in Article I. This article adds the substance isotonitazene to List I of the Opium Act. This means that it is prohibited to import or export the substances into or out of the territory of the Netherlands or to grow, prepare, process, handle, sell, deliver, supply, transport, possess or produce them under Article 2 of the Opium Act. This is therefore a total ban.

The decree may contain technical requirements in Article II. This article adds the nitazene group of substances to List IA of the Opium Act. This means that, pursuant to Article 2a of the Opium Act, it is prohibited to bring a substance that is part of a substance group as referred to in List IA accompanying this act, or a preparation thereof, into or out of the territory of the Netherlands, to prepare, process, sell, deliver, supply or transport it, to possess it or to produce it.

9. At the end of 2024 and beginning of 2025, nitazene derivatives, including isotonitazepyne, were found in counterfeit oxycodone tablets in the Netherlands. These counterfeits were linked to several cases of intoxication and isotonitazepyne, including one fatality in the spring of 2025. There has also been a case of severe intoxication with isotonitazepyne following intentional use. This development prompted the CAM to request a risk assessment of the harmfulness of isotonitazepyne. The CAM recommended as a precaution and on the basis of analogy of similar opioids to add isotonitazepyne to List I of the Opium Act. The government has therefore decided to prohibit trade in the substance isotonitazepyne by adding it to List I. The aim of these rules is to reduce the number of people with access to this substance. The rules are therefore justified in the interest of public health. The government therefore considers a general ban on trade of the substance isotonitazepyne to be a suitable measure to achieve the above objective. The proposed measure does not go beyond what is necessary to achieve the desired objective. It is important to note that less intrusive measures such as warnings on packaging or restrictions on sales will be insufficient to protect public health. A total ban is the only effective measure because safe use is not possible. The proposed measure is therefore proportionate.

In the meantime, nitazenes, substances derived from etonitazene, have entered the Netherlands. These synthetic opioids are generally many times more potent than fentanyl and therefore pose a real threat to public health. In the UK, the use of nitazene has already led to dozens of deaths. As a result, the UK has adopted a generic ban on nitazenes. The National Poisons Information Centre (NVIC) has received several reports of intoxication with nitazenes in the Netherlands. In Europe, nitazenes are increasingly appearing on the drug market. In March 2025, the Commission on Narcotic Drugs (CND) discussed the emergence of these synthetic opioids and decided to place several nitazenes under international control. A number of nitazenes were already on List I and in recent years, several nitazenes have been added to it following an international risk assessment. In the spring of 2025, the CAM was consulted on the intention to add this group of substances to List IA. The CAM concluded that nitazene is comparable to fentanyl derivatives and opioids, such as morphine and heroin, in terms of functioning and effect. It has a very high potency and high risk of overdose. The CAM notes that the reported cases at the Netherlands Forensic Institute and poisonings or health incidents at the NVIC and the Drugs Information and Monitoring System show that nitazenes have reached the Netherlands, while nitazenes in other countries are already leading to significant problems. Monitors from the United Nations Office on Drugs and Crime show some 30 countries where the number of products found with nitazenes has been increasing considerably in recent years. The CAM

mentions that nitazenes are incorporated into all kinds of products, often without the user's knowledge. Intoxication with nitazene can have a major acute health effect, potentially resulting in death. The CAM concludes that, based on information from other countries, nitazene compounds constitute a potentially high-risk group of substances that may have serious health consequences. Based on the precautionary principle, the CAM advises the Ministry of Health, Welfare and Sport to add the substance group nitazenes to List IA of the Opium Act. In view of the aforementioned worrying developments, the government has decided to add nitazene as a substance group to the list of controlled substances.

10. Numbers or titles of the basic texts: There are no basic texts.

11. Yes

12. In the Netherlands, a number of specific nitazenes have been added to List I of the Opium Act. Not all nitazenes currently reported nationally and internationally are included on this list. A new amendment to the law entered into force in the Netherlands on 1 July 2025. List IA has been added to the existing Lists I and II of the Opium Act. List IA includes entire substance groups derived from hard drugs appearing on List I of the Opium Act. If there is reason to do so, a substance group may be added to List IA. This is now being done with the nitazenes substance group. In the spring of 2025, a Red Alert was issued in connection with the circulation of counterfeit oxycodone pills. In this case, a Dutch citizen died after taking these oxycodone pills. Analyses conducted by the Netherlands Forensic Institute (NFI) showed that these pills contained nitazene (isotonitazepyne). The DIMS, National Poisons Information Centre (NVIC) and the NFI have received multiple reports of counterfeit oxycodone products and poisonings with nitazenes, which have been confirmed analytically.

The reported cases at the NFI and poisonings or health incidents at the NVIC and DIMS testing services show that nitazenes have reached the Netherlands, while nitazenes are already causing major problems in other countries. Due to the serious health consequences that the nitazenes may entail, as well as serious concerns about a further rise

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

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