

Message 001

Communication from the Commission - TRIS/(2025) 1867

Directive (EU) 2015/1535

Notification: 2025/0377/DE

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: 20251867.EN

1. MSG 001 IND 2025 0377 DE EN 14-07-2025 DE NOTIF

2. Germany

3A. Bundesministerium für Wirtschaft und Energie, Referat EB3

3B. Bundesministerium für Gesundheit, Referat 122, 53107 Bonn

4. 2025/0377/DE - C00C - CHEMICALS

Ordinance amending Annexes to the Narcotics Act and the New Psychoactive Substances Act

6. Amendment of the Annex to the New Psychoactive Substances Act to reflect the current state of knowledge by updating the substance groups for the recording of further new psychoactive substances and supplementing them with two new substance groups.

7.

8 Article 2 of the Ordinance contains a recasting of the Annex to the New Psychoactive Substances Act

(NpSG) on the basis of the authorisation in Article 7 of the NpSG. The Ordinance amends the NpSG. The seven groups of substances are hereby updated, and two new groups are added, in order to be able to effectively reduce the hazardous abuse of emerging psychoactive substances.

9. Scientific findings are available for the new psychoactive substances. These findings include pharmacological-clinical data on the mode of action and toxicity and also data on the extent of misuse and the associated direct or indirect risk to human health. In order to limit their spread and risky abuse, it is necessary to add more new psychoactive substances to the existing seven groups of substances in the Annex to the NpSG, because of their mode of action, the extent of abuse, and the associated health risk. The consumption and supply of new psychoactive substances (NPS) has spread rapidly in Germany (as in other EU Member States) in the past few years, particularly among young people. Furthermore, consumers are insufficiently or not at all informed about the ingredients of the products offered on the drug market and their health risks, as unscrupulous manufacturers and distributors usually do not declare the ingredients of their NPS products.

The update to the groups of substances in the Annex to the NpSG is urgently needed because of the extent of misuse and the immediate threat to health.

Following consultation with national experts who have advocated the amendments now proposed by the German Federal Government, the NpSG is therefore recast on the basis of the national authorisation provision in Article 7 of the NpSG.

10. Reference to the basic texts: Basic texts have been sent within the framework of a previous notification: 2024/0075/DE

11. Yes

12. The additions to the Annex of the New Psychoactive Substances Act are urgently needed for reasons of protection of public health from the risks associated with the new psychoactive substances and to combat their further spread. These substances have for some time been publicly available, mostly through online shops. Since these substances have not yet been described in the scientific literature, information on their effects and side effects is often first obtained from their consumption for narcotic purposes, where serious consequences, some including deaths, have already been reported. Therefore the spread and availability of the new chemical variants present a danger to the health of the public and of individuals, especially in case of such unpredictable effects. Confiscations by German enforcement and the increase in treatment needs indicate a high market presence of these substances. Due to minor differences in their formulation, the new substances are not subject to national prohibitions and sanctions. They are advertised as substitutes for substances that have already been prohibited. Information on health risks is therefore absent, creating an impression of harmlessness. The significant and unpredictable health risks and the extent of the undoubtedly present abuse create an urgent need for this addition to the Annex of the New Psychoactive Substances Act

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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