17th St. & Constitution Avenue N.W.
Washington, D.C. 20006
United States of America

Organization of American States

P. 202.458.3000
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INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

C I C A D

Secretariat for Multidimensional Security

FIFTY-FOURTH REGULAR SESSION
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FINAL REPORT
GROUP OF EXPERTS ON CHEMICAL SUBSTANCES AND PHARMACEUTICAL PRODUCTS
(DRAFT)

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Draft

Executive Summary

The Group of Experts met at the Plaza del Bosque Hotel in San Isidro, Lima, Peru from August 5 to 9, 2013. Ana Maria Vasquez, Gisele Bellido, Ernesto Lopez and Paul Vera, National Customs Service (SUNAT) served as chairs for this meeting. 61 experts representing 16 member states (Argentina, Bolivia, Brazil, Canada, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Mexico, Panama, Peru, Trinidad and Tobago, United States, Uruguay and Venezuela) Russia and the United Nations Office on Drugs and Crime (UNODC/PRELAC) participated in this meeting.

The Group of Experts executed the plan of action approved by the Commission during its fifty-second regular session in San Jose, Costa Rica.

7KH *URXS RI ([SHUWV RIIHUV WKH IROORZLQJ SULRULW\ consideration:

- **accept and approve** the following guides and other documents;
  - Guide of basic elements to consider in the implementation of mechanisms that allow authorities to evaluate the estimated requirements of controlled substances
  - Guide to Best Practices to Prevent the Counterfeiting of Precursor Chemicals
  - Guide for tracing seized narcotics and psychotropic substances
  - Information Bulletin on New Psychoactive Substances (NPS)
- **direct** the Group of Experts to continue its work on the issues initiated for consideration and finalizing at the next meeting;
- **accept** the proposed plan of action for the Group of Experts;
- **direct** the Group of Experts to meet during 2014 and implement the plan as proposed, allowing for the consideration of new or emerging issues

I. BACKGROUND

The Inter-American Drug Abuse Control Commission (CICAD) met for its fifty-second regular session in San Jose, Costa Rica from November 28 to December 30, 2012. At that time it received and approved the report of the Group of Experts on Chemical Substances and Pharmaceutical Products from its meeting in Santo Domingo, Dominican Republic (June 25 to 29, 2012). The Commission approved the draft plan of action presented by the Group and directed that it meet in 2013. The Commission also accepted the offer of the Government of Peru to host and chair that meeting.

II. PROCEEDINGS

A. PARTICIPANTS

Sixteen member states (Argentina, Bolivia, Brazil, Canada, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Mexico, Panama, Peru, Trinidad and Tobago, United States, Uruguay and Venezuela) Russia and the United Nations Office on Drugs and Crime (UNODC/PRELAC) participated in this meeting in Lima.

B. SESSIONS AND ORGANIZATION OF THE MEETING

1. Opening Session

The meeting of the Group of Experts was convened in the Plaza del Bosque Hotel in San Isidro, Lima, Peru. During the opening ceremony Mr. Enrique Bejarano, Deputy Superintendent, National Customs Service (SUNAT), and Mr. Jorge Valencia, Supply Reduction Adviser, DEVIDA, offered welcoming remarks to the participants and invited guests. Ana Maria Vasquez, Gisele Bellido, Ernesto Lopez and Paul Vera from National Customs Service (SUNAT) shared responsibility for chairing the meeting of the Group of Experts.

2. Working Sessions

2.1. Presentations

The following presentations were delivered to the plenary during the meeting:

Status of the control of chemical and pharmaceuticals diversion in the region – PRELAC Project (UNODC)

Mr. Hector Wong reviewed the background of the PRELAC project during its first and second phases. He noted the work that has been regarding the strengthening of regulatory bodies, the FRQVLGHUDWLRQ RI WKH FKHPLFDO LQGXVWU\¶V UROH LQ V of the roles of regulatory bodies. He further noted that the second phase of the project was initiated in 2012. The activities pursued within this part of the project build on the results of phase 1.

UNODC Early Warning Advisory and the Challenge of New Psychoactive Substances
Mr. Juan Carlos Araneda is the SMART Project Coordinator from UNODC working in CICAD. Mr. Araneda briefed participants on the SMART initiative concerning amphetamine-type stimulants (ATS) and the early warning advisory on new psychoactive substances (NPS).

The SMART initiative began in the Asian-Pacific area in 2008 with funding from Canada. The objective of this initiative was to improve the capacity of countries in this region to gather and report information concerning ATS. In 2010 the initiative was expanded to Latin America with CICAD serving as the regional entity. Countries in this region had insufficient information that was being reported to the UNODC.

The issue of new psychoactive substances (NPS) is a new element in SMART. A report on the new challenges presented by these substances was recently released by SMART. It noted an increase in the number of cases of NPS being reported in certain countries in Latin America. Never before seen NPS are appearing on a weekly in countries around the world. Countries in Europe have established early warning systems to identify new substances and share that information.

The challenges with NPS include:
- being able to understand the scope and nature of the problem
- the identification and reporting of NPS
- lack of data
- the absence of a holistic analysis of the market
- the absence of a trend analysis to inform for intervention
- appropriate and timely legislation and scheduling

NPS is a global problem with new drugs appearing on the market weekly. While not all countries in the Americas have noted these substances being sold or used it is a problem that is coming. As such countries need to prepare now and have in the place the necessary elements to monitor their arrival and out controls in place in a timely manner.

Risk Communication Regarding New Psychoactive Substances
On a global level new psychoactive substances (NPS) are being introduced to the market each week. Ms. Jocelyn Kula of Health Canada delivered a presentation on this growing problem and the need for clear and accurate information about the risks associated with the use and purchase of NPS. This particularly important given that there is a perception that these products are safe and are legal. There is a need for countries to have in place a mechanism to identify NPS and to share this information with appropriate agencies, other countries and with the public.

Ms. Kula proposed that this issue might well be addressed by a working group that could prepare guidelines or best practices on how best to communicate and exchange information regarding the dangers of NPS.

International Scheduling Process

The process to schedule or change the scheduling of chemical substances is defined by the international conventions. It is a process that takes time making it not particularly responsive to the quick changing world of illicit drug trafficking.

Ms. Jocelyn Kula of Health Canada reported on a motion proposed by Canada during the March 2013 meeting of the Commission on Narcotic Drugs (CND). The motion called provided for the inclusion of this issue in the agenda of the next CND meeting in 2014. In preparation for this discussion the delegation of Canada was seeking input from other delegations regarding the challenges that they face with respect to the scheduling process defined by the Conventions. The purpose of this effort and the proposed discussion during the CND is to see how best to address these challenges and improve the process. This does not imply a desire or effort to open and change the Conventions with respect to the scheduling process.

Delegations were encouraged to share their input with the Canadian either on the margins of this meeting or to sending to Ms. Kula following the meeting.

The Control of Precursor Chemicals and Controlled Substances: A new approach

A representative of the National Customs Service (SUNAT) provided an overview 3HUX¶V approach to chemical control. This new approach was put in place in February 2013. Under this shift, responsibility for the control of chemicals and their taxation now resides with the Taxation Administration.

While the primary objective is ensuring proper taxation, SUNAT is also responsible for the registration, control of diversion covering the entire range of activities related to chemical VXEVWDQFHV 7KH VFRSH RI FRQWURO FRYHUV FKHPLFDO

The basis of the control system is a comprehensive database that includes tax-related information as well as other information concerning the companies authorized to deal in controlled chemicals.

The implementation of the new controls and responsibilities within SUNAT continues with full responsibilities in place in August 2013. Full operational implementation will continue after this date. Leading to what appears to be a very comprehensive chemical control system.

Multilateral Evaluation Mechanism (MEM), Recommendations for the Sixth Round: control of pharmaceutical products and chemical substances

Ms. Angela Crowdy, Multilateral Evaluation Mechanism (MEM) Coordinator at CICAD delivered a presentation on the recommendations of the (MEM) in the thematic area of pharmaceutical and chemical control and illicit trafficking, in order to inform the Expert Group of the recommended actions stemming from the Hemispheric Drug Strategy and the Plan of Action. The national evaluation reports will be presented for approval at the end of 2014, and will highlight both the level of compliance by each member state, as well as vulnerable areas which need attention in the thematic areas covered by the MEM, which include control of

pharmaceutical products and chemical substances. CICAD will provide, where possible, assistance to member states through projects and programs, in order for them to fully implement the recommendations, within the framework of the MEM and the Hemispheric Drug Strategy.

Paragraph 16 of the Declaration Antigua Guatemala "For a Comprehensive Policy to Fight Drugs in the Americas"

The OAS General Assembly meeting held in Antigua, Guatemala focused on drugs. Ms Angela Crowdy, MEM Coordinator at CICAD, updated participants on this meeting as it related to Paragraph 16 of the declaration from that meeting that reads as follows:

"That they urge those countries that produce, export, import and transit chemical substances and precursors that are used in the illicit manufacture of narcotic and psychotropic substances to strengthen, in cooperation with the private sector, their measures for controlling production, distribution, and domestic and foreign sales of chemical substances and precursors, in order to prevent their diversion toward illicit activities, and to encourage international cooperation and strategic public-private partnerships."

Given the Special Session of the General Assembly set for 2014, members of the Group of Experts were encouraged to discuss possible hemispheric initiatives taking into account the Declaration,

Delays in the Pre-Export Notification Process (PEN)

The delegation of Chile raised concerns regarding problems that the competent authority in that country has been experiencing with the timely submission of information on chemical shipments as the first step in the PEN process. Chile was aware that the minimum time required for chemical companies to submit this information varies from country to country. In some the information was required as much as 15 days before the shipment while others could send it the same day the chemicals were to be shipped.

The delegation of Chile asked those present to indicate the minimum time that their country requires for chemical companies to provide information on the proposed export of chemicals. A summary of the input from the country representatives was prepared and provided to the representative from Chile.

2.2. Plenary Discussions:

The Group of Experts considered the following issues:

Guide of basic elements to consider in the implementation of mechanisms that allow authorities to evaluate the estimated requirements of controlled substances

A working group was established during the Group of Experts Meeting of 2012 to examine the role of the competent authorities. The objective was to create a guide to examining possible criteria that regulatory bodies and other relevant agencies could take into account in evaluating estimates of need of chemical companies. The delegation of Costa Rica coordinated the preparation of this document and submitted it for the approval of the Group.

Delegates were reminded that the Commission directed the Group not to consider the issue of estimates of national needs for chemical substances. Several parts of the draft were revised and clarified further to questions raised by a number of delegations. The Group approved the draft with the proposed revisions and submits it for the consideration and approval of the Commission.

Guide to Best Practices to Prevent the Counterfeiting of Precursor Chemicals

In 2012, Argentina and Trinidad and Tobago formed a working group, to develop a Guide of best practices on how to implement a system to identify chemicals or chemical labels of chemical precursors belonging to the same batch. In some cases this can help to reconstruct the marketing or supply chain of the substance. Federico Gaston, Director, National Registry of Precursors, SEDRONAR, in Argentina presented the draft guide and submitted it for approval of the Group.

During a brief discussion several delegations offered comments as well as suggestions regarding modifications to the draft. With the inclusion of these modifications the Group finalized the draft DQG VXEPLWV LW IRU WKH &RPPLVVLRQ¶V UHYLHZ DQG DSS

Pharmaceutical Drug Inspection

The Group of Experts established a working group to examine and develop a training manual or guide and a model curriculum for the training of pharmaceutical inspectors its meeting in 2012. The working group chaired by Bahamas proposed to prepare the foregoing draft curriculum for presentation at this meeting of the Group. Unfortunately the delegation of the Bahamas was not DEOH WR DWWHQG WKH PHHWLQJ DQG QR GUDIW ZDV DYDLO

The Executive Secretariat reported on some preliminary work that it had undertaken on the subject of pharmacy inspector training. CICAD officials have consulted informally with pharmacy inspectors and officials of regulatory bodies in the Caribbean regarding the proposal on ways to address the training needs in the region for pharmacy inspectors. In addition Canada has made available information on the information included in the training delivered to its inspectors. The Executive Secretariat proposes to seek funding to establish a model curriculum with the assistance of officials from selected member states in the Caribbean based on their special needs. This curriculum will then be used in delivering a pilot regional seminar in the Caribbean.

Guide for tracing seized narcotics and psychotropic substances

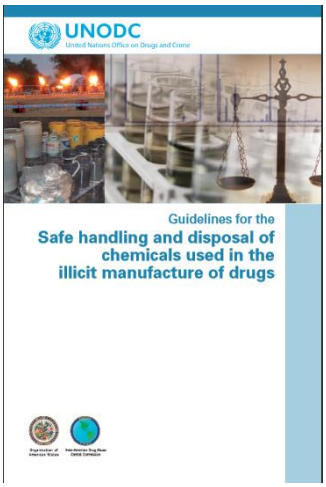
The drafting of this document was initiated in 2011. The objective of this guide is to identify the chemical substances and procedures used to manufacture illicit drugs and then link samples VHL]HG WR VSHFLILF FODQGHVWLQH ODERUDWRULHV RU RU would be very useful for operational planning and the analysis of new trends. Unfortunately Ecuador was not able to attend the 2012 meeting. As such, the delegation of Peru assumed the leadership of this working group. The group agreed that the delegation of Peru consolidate the document. Mr. 9LFWRU +XJR 7XHVWD &DVWUR ,QVSHFWRU ZLWK presentation on the approach used by Peru to track the production of cocaine based on the UHVLGXDO FKHPLFDO FRPSRVLWLRQ RI GUXJ VDPSOHV VHL much of the material contained in the draft guide presented for the consideration of the Group.

Delivered a brief

Disposal of Chemical Substances

In exercising control over chemical substances, from time to time police, customs and other officials seize chemical substances. The challenge that countries face is how to deal with these substances. This begins when the chemicals are either seized at the port or a clandestine laboratory or other venue. It continues as the chemicals are transported and stored and then ultimately destroyed or disposed of in some other manner. During each of the foregoing phases there are many questions and issues to consider. This includes, among other things, the authority to do what is required, assured safety of the personnel involved and people nearby and appropriate equipment as well as the necessary technical skills and knowledge.

CICAD and UNODC have already worked together to address the technical issue of the methods to safely dispose of chemicals through the guide that they prepare. This guide is available on &,&$'¶V ZHE SDJH
http://www.unodc.org/documents/scientific/Disp.Manual_English.pdf



The capacity of countries to deal with each of the foregoing phases or elements of chemical seizure and disposal varies but most are not well prepared to deal with this issue. As such it is a concern to most member states. Few have a full image of what they need to do or the necessary steps they need to take.

The scope of the foregoing is significant and exceeded the capacity of the Group of Experts to address during the course of this meeting. As such, the Executive Secretariat proposed to work with PRELAC to explore the feasibility of collaboration in this area to prepare a guide, self-assessment mechanism or other vehicle to help member states.

Given the scope and significance of the issue of chemical disposal, consideration will be given to SURYLGLQJ D VSHFLDO IRFXV RQ WKLV LVVXH LQ VXFK D FDVH, SDUW RI next meeting. If such is the case, member states will be asked to take this into consideration when selecting experts to send to the next meeting.

2.3. Working Groups

Working groups were established to finalize documents already initiated and to further elaborate draft documents related to challenges and issues raised during the roundtable introduction of participants. These issues served as the basis for discussions during this meeting or will be included in the plan of action for future proposed meetings. Working groups considered the following issues:

Information Bulletin Concerning New Psychoactive Substances (NPS): Canada

The production, trafficking and use of new psychoactive substances (NPS) are a growing global problem. New psychoactive substances are appearing on the illicit market with alarming IUHTXHQF\ ,Q PDQ\ LQVWDQFHV WKHVH VXEVWDQFHV DUH in existing drug or chemical control legislation. This presents a challenge for countries where these substances appear. The long term effects on individuals using these substances are also not well understood.

8QGHU &DQDGD¶V OHDGHUVKLS D ZRUNLQJ JURXS ZDV IRU concerning the problem of NPS. A preliminary document was finalized with some basic information. Given the urgency of the situation presented by NPS, the Executive Secretariat was asked to distribute the bulletin to all member states as soon as possible. The working group will continue to refine and expand on the bulletin, noting any new developments such that the Group of Experts will consider and finalize the document when it next meets.

Model Administrative Control System for the Control of Chemical Substances: UNODC/PRELAC

The regulatory and administrative processes and systems implemented by countries are important elements in the control of chemical substances. Frequently gaps in these systems reduce the potential level of control that countries can apply over these substances. Problems of this nature have been noted by member states and have been identified through the work of the PRELAC project.

A working group led by officials from PRELAC was established to prepare a guide on the elements of a model administrative system for the control of chemical substances. The group prepared a comprehensive outline of the proposed model. A finalized document will be prepared for presentation when the Group of Experts next meets.

Disposal of Pharmaceutical Drugs: Peru

Unused pharmaceutical drugs found in the home present an opportunity for diversion and inappropriate use. Anecdotal information suggests in some instances youth are taken quantities of these drugs from their homes for their personal use or to share with friends. Outdates pharmaceutical drugs also present a threat in the home.

Several delegations raised the problem of Fentanyl patches. It seems that there have been cases where such patches have been retrieved from the trash after having been thrown out. In some instances the inappropriate reuse of these patches has led to problems for the drug user.

Many countries have implemented various strategies or initiatives for the safe disposal of these drugs. A working group was formed to develop a guide on option of such strategies and

initiatives that countries might LPSOHPHQW 7KH *URXS XQGHU 3HUX¶V O the guide to be presented and finalized at the next Expert Group meeting.

Guide for Establishing Designated Ports of Entry for Chemical Substances and Pharmaceutical Products: Brazil
Some countries have chosen to limit the entry of chemical substances and/or pharmaceutical products into that country through ports designated for this purpose. This allows the country to focus and save limited resources and efforts in the control of these substances to a limited number of centers.

A working group chaired by Brazil undertook the task of developing a guide for establishing such designated ports of entry. The guide will, among other things, examine how best to implement such a strategy, the necessary steps in doing and the criteria that should be considered when identifying specific ports for this purpose. The final draft will be presented to the Group of Experts when it next meets.

3. Plan of Action
The Group of Experts chaired by Peru will until the next meeting has prepared the following plan of action from which the assigned products will be presented when the Group next meets:

Preparation of guides, manuals or other papers associated with the following:

- Information Bulletin Concerning New Psychoactive Substances (NPS): Canada
- Model Administrative Control System for the Control of Chemical Substances: UNODC/PRELAC
- Disposal of Pharmaceutical Drugs: Peru
- Guide for Establishing Designated Ports of Entry for Chemical Substances and Pharmaceutical Products: Brazil

Other issues for discussion at the next meeting:
In addition to the foregoing, the Group identified the following topics as potential issues for further discussion at the next meeting:

- Control of chemical / pharmaceutical transshipments through ports and airports
- Inspectors for chemical control
- Training of regulatory officials
- Forged / tampered chemical labeling
- Pre-export notification
- Harmonized national chemical schedules for control
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- ³6LQJOH :LQGRZ´ DSSURDFK IRU FKHPLFDO FRQWURO
- Internet sales of drugs
- PICS (INCB)
- MEM indicators for the control of chemicals and pharmaceuticals
- Disposal of seized chemicals
- Strengthening international cooperation and information exchange regarding chemical control

- Control of chemicals used in the production of cocaine
- &RQWURO RI ³RYHU WKH FRXQWHU´ SKDUPDFHXWLFDOV
- Awareness of chemical control
- Flood of chemicals into Central America
- Identification of new indicators to measure chemical control efficiency and effectiveness
- Private sector participation in the control of chemical substances

4. Closing Session

The Group of Experts concluded its work on August 9. Representatives of SUNAT and DEVIDA addressed the meeting and thanked the members of the Group of Experts for their participation.

III. CONCLUSIONS AND RECOMMENDATIONS OF THE GROUP OF EXPERTS

The Group of Experts on Chemical Substances and Pharmaceutical Products recommends that the Commission:

- **accept and approve** the following guides and other documents;
  - Guide of basic elements to consider in the implementation of mechanisms that allow authorities to evaluate the estimated requirements of controlled substances
  - Guide to Best Practices to Prevent the Counterfeiting of Precursor Chemicals
  - Guide for tracing seized narcotics and psychotropic substances
  - Information Bulletin on New Psychoactive Substances (NPS)
- **direct** the Group of Experts to continue its work on the issues initiated for consideration and finalizing at the next meeting;
- **accept** the proposed plan of action for the Group of Experts;
- **direct** the Group of Experts to meet during 2014 and implement the plan as proposed, allowing for the consideration of new or emerging issues

SCHEDULE OF ACTIVITIES

Monday, August 5, 2013

08:30 **Registration of Participants**

INAUGURAL SESSION

09:00 **Welcome remarks by**:

- Mr. Enrique Bejarano, Deputy Superintendent, National Customs Service (SUNAT), Peru
- Mr. Jorge Valencia, Supply Reduction Adviser, DEVIDA , Peru

FIRST PLENARY SESSION

09:35 **Introduction and Review**

- Background
- Objectives and CICAD Commission expectations
- Schedule of work
- Proposed work methodology
- Presentation of participants and identification of topics for the First Working Groups Session

10:45 **Presentation:** Status of the control of chemical and pharmaceuticals diversion in the region – PRELAC Project (UNODC)

- Hector Wong, Director PRELAC Project

SECOND PLENARY SESSION

Presentation of Documents Initiated in Previous Meetings

14:00 **Guide of basic elements to consider in the implementation of mechanisms that allow authorities to evaluate the estimated requirements of controlled substances (Document 1)**

- Jonatan Jiménez Padilla, Inspector, Unit of Precursor Control, Costa Rican Drug Institute (ICD)-Costa Rica

Briefing: *A working group was established during the Group of Experts Meeting of 2012. The objective was to create a guide to examining possible criteria that regulatory bodies and other relevant agencies could take into account in evaluating estimates of need of chemical companies. The delegation of Costa Rica coordinated the preparation of this document and submits it for approval of the Group.*

14:30 **Guide to Best Practices to Prevent the Counterfeiting of Precursor Chemicals (Document 2)**

- Federico Gaston, Director, National Registry of Precursors, SEDRONAR, Argentina

Briefing: *The* d*rafting of this guide started in 2012. Argentina and Trinidad and Tobago formed a working group, to develop a Guide of best practices on how to implement a system to identify chemicals or chemical labels of chemical precursors belonging to the same batch. In some cases this can help to reconstruct the marketing or supply chain of*

the substance. The delegation of Argentina coordinated the preparation of this document and submits it for approval of the Group.

15:45 **Guide for tracing seized narcotics and psychotropic substances (Document 4)**

- Victor Hugo Tuesta Castro, Inspector, National Police, Peru

Briefing: *The drafting of this document was initiated in 2011. The objective of this guide is to identify the chemical substances and procedures used to manufacture illicit drugs and then link samples seized to specific clandestine laboratories or originating countries. This "fingerprinting" process would be very useful for operational planning and the analysis of new trends. Unfortunately Ecuador was not able to attend the 2012 meeting. As such, the delegation of Peru assumed the leadership of this working group. The group agreed that the delegation of Peru consolidate the document and submit it for consideration of the Expert Group.*

16:15 **International Scheduling Process**

- Jocelyn Kula, Health Canada

Strengthening Pre-Export Notification – PEN online - acknowledge receipt and notification time

- Carolina Salinas, Ministry of Interior and Public Health, Chile

Tuesday, August 6, 2013

THIRD PLENARY SESSION

09:00 **Presentation:** The Control of Precursor Chemicals and Controlled Substances: A new approach

- National Customs Service (SUNAT), Peru

09:45 **Presentation:** UNODC Early Warning Advisory and the Challenge of New Psychoactive Substances

- Juan Carlos Araneda, SMART Project Coordinator, UNODC/CICAD

10:15 **Risk Communication Regarding New Psychoactive Substances**

- Jocelyn Kula, Health Canada

10:45 **First Working Groups Session**

Objective: *Working groups are established to work on what was presented during the Second Plenary Session*

Wednesday, August 7, 2013

FOURTH PLENARY SESSION

09:00 **Presentation:** Multilateral Evaluation Mechanism (MEM), Recommendations for the Sixth Round: control of pharmaceutical products and chemical substances

- Angela Crowdy, MEM Coordinator, CICAD

09:30 **Presentation:** Paragraph 16 of the Declaration Antigua Guatemala "For a Comprehensive Policy to Fight Drugs in the Americas":

"That they urge those countries that produce, export, import and transit chemical substances and precursors that are used in the illicit manufacture of narcotic and psychotropic substances to strengthen, in cooperation with the private sector, their measures for controlling production, distribution, and domestic and foreign sales of chemical substances and precursors, in order to prevent their diversion toward illicit activities, and to encourage international cooperation and strategic public-private partnerships."

Hemispheric initiatives to respond the Declaration within the framework of CICAD.

- Angela Crowdy, MEM Coordinator, CICAD

10:45 **Presentation:** Administrative Control in the Region

- Mario Puente, Specialist, Chemical Substances Control, PRELAC project, UNODC Regional Office in Peru

FIFTH PLENARY SESSION

16:45 **Presentation of the First Working Group Session Results**

Objective: *Representatives of each working group report on the status of their work to the plenary for comments and input from the other members of the meeting. The working group responsible would take note of the input to further refine the framework or scope of the document or guide being prepared to finalize it during the meeting or in the next meeting of the Group of Experts if it is the case.*

Thursday, August 8, 2013

SIXTH PLENARY SESSION

09:00 **Presentation:** Pharmaceuticals Products Control in Peru

- Judy Castañeda , Ministry of Health

10:15 **Second Working Group Session**

Objective: *working groups are established to address tasks identified during the Second Plenary Sessions not discussed in the First Working Group Session*

Friday, August 9, 2013

SEVENTH PLENARY SESION

09:00 Presentation of the Second Working Group Session results

10:45 Conclusions, commitments and recommendations for action by the Working Group to be submitted to the CICAD Commission for approval

THE GROUP OF EXPERTS ON CHEMICAL SUBSTANCES AND PHARMACEUTICAL PRODUCTS SUBMITS TO THE COMMISSION THE FOLLOWING GUIDES AND OTHER DOCUMENTS FOR APPROVAL:

Guide to Basic Elements to be considered in the Implementation of Mechanisms that will Enable Competent Authorities to Evaluate Estimates of Needs for Controlled Substances Submitted by User Businesses

The working group was conformed by: Bolivia, Costa Rica, El Salvador, United States, Guatemala, Trinidad and Tobago, Venezuela and a delegate from UNODC/PRELAC.

There is no obligation to implement this document by the member states, being at the discretion of each country to use this or another control of legitimate needs (or licit requirements) of controlled substances.

BACKGROUND:
Objective No 2 of the CONTROL MEASURES of the Hemispheric Plan of Action on drugs 2011-2015 of CICAD, states that control measures must be adopted or strengthened in order to prevent the diversion of controlled chemical substances toward illicit activities. Among the actions to consider are: review of existing legislation and control measures and to promote, when appropriate, the production of estimates of legitimate needs for controlled chemical substances.

In that context, the topic of evaluating legitimate national needs for controlled chemical substances was GHEDWHG GXULQJ WKH PHHWLQJV RI WKH *URXS RI ([SHUWV I
Regulations of CICAD for the Control of Chemical Substances Used in the Illicit Manufacture of 1DUFRWLF 'UXJV DQG 3V\FKRWURSLF 6XEVWDQFHV´ KHOG LQ &R
2011.

TASK
CICAD gave the Group instructions to examine the concept of legitimate national needs for controlled chemical substances in accordance with the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, and the feasibility of producing estimates of those needs.

The Group considers that it is in fact feasible to produce these estimates based on the information provided by businesses to competent authorities when submitting a request for a license to handle controlled substances, and also based on the evaluation of the supporting technical elements by the authorities, something that is already being done in many of the member States.

JUSTIFICATION:
Some countries in the continent currently have legal limitations or restrictions on working with estimates by businesses that would in turn serve as the basis to produce national estimates of controlled chemical substances. However, it is considered possible and imperative to implement mechanisms that would allow countries to prevent the accumulation of controlled substances and their potential diversion toward illicit ends, as established in Article 12, paragraph 8(b)(iv), of the 1988 Convention.

Therefore, the members of the group consider that:

1. It is essential for member States that, at the time of granting licenses to businesses operating in the country that will handle controlled chemical substances, these companies provide competent authorities estimates regarding the production, manufacture, preparation, transformation, storage,

importation, exportation, purchase and sale, transportation and any other type of national or international transaction involving those substances.

2. These estimates or licit requirements provided by businesses must be based on actual data supported by the volume of their licit operations.
3. Estimates or licit requirements shall be subject to any verification mechanism deemed pertinent by competent authorities in the country.
4. These estimates or licit requirements, by individual business, will enable the country to determine the legal needs for controlled substances and to take action in the event that unusual variations are detected.

CONCLUSION

Taking into account that, in several countries in the continent, competent authorities have already implemented mechanisms to estimate the needs for controlled substances by user businesses, and that these mechanisms have helped prevent their diversion toward illicit channels, this working group considers that the implementation of this type of mechanism is recommended, and, therefore, the attached document contains a guide which provides some general guidelines for their implementation.

1. Objective:

To provide competent authorities some basic guidelines to take into account in order to estimate the licit needs of businesses engaged in any activity that involves controlled chemical substances, in order to avoid the accumulation of these substances and prevent their diversion toward illicit ends.

2. Legal bases:

2.1. Article 12 of the 1988 Convention.

2.2. Specific national legislation applicable to the area of controlled substances (include).

3. Aspects to be considered when evaluating estimates of needs of businesses that handle controlled substances.

3.1. Evaluation of estimated needs of business registering for the first time.

At the time of registration the following elements must be evaluated:

a) That the applicant has valid and current operation permits from health, environmental and other authorities that are required for the activity in which the controlled chemical substances are to be used.
b) Marketing study or other means to measure similar standards submitted by the business of the industrial sector in which the activity is to take place, according to its size and business field.
c) Whether the business is going to operate only in the domestic market or if it is also going to engage in exports, and, in that case, take into account the expected target market.
d) Installed capacity for storage, production and/or use of the substances whether in the general process or in specific segments of that process.
e) Background of the management and legal representatives of the business.

3.2. Evaluation of the needs of a business renewing a license.

At the time that a business applies for the renewal of license, competent authorities must evaluate:

a) Statistics reflecting the production, importation, purchase and sale, distribution or use of the substances during the preceding period, as well as initial stock and pertinent security stock or other method determined by the authorities. This information shall be gathered and analyzed by the competent entity based on the regular reports generated by the business with regard to the movement of controlled substances, losses, reductions, and others, and cross-referencing the

information with data on importation, local acquisition or production of chemical substances.

b) Record of the business regarding compliance with applicable legislation.
c) In instances where licit higher quotas than the ones in the preceding period are requested, the competent authority must evaluate and determine whether the increase is technically justified.
d) If an individual or enterprise requests a permit to handle substances that it did not previously use, the evaluation of the needs should proceed as indicated in paragraph 3.1.

3.3. Evaluation of increases in estimates

Taking into account that certain commercial or industrial activities are subject to variations that are difficult to predict, an applicant that already has a license or registration, may request an increase in the list of substances or initial estimates. In this case, the competent authority shall evaluate the elements indicated in paragraphs 3.1 and 3.2, as the case may be, in order to determine whether the increase requested is technically appropriate or not.

3.4. Reduction or denial of estimates

In those instances in which the competent authority determines that the estimate submitted by the business has no technical basis or is excessive for the demands of the market, and, as a result, assigns lower quotas than those requested or denies authorization of the estimate, the competent authority must inform the business, in writing, of the grounds on which the decision was based. The applicant may appeal the decision in accordance to the provisions of the domestic legislation.

Guide to Best Practices to Prevent the Counterfeiting of Precursor Chemicals

BACKGROUND:

At the Meeting of the Group of Experts held in Quito, Ecuador, from July 11 to 15, 2011, the Argentinean delegation made the rest of the group aware of its concern regarding the difficulties faced when trying to trace back the commercialization chain of precursor chemicals found in dismantled clandestine drug laboratories.

The representatives of Prelac, Peru, Chile, Uruguay, Bolivia, the United States of America, Ecuador, Trinidad and Tobago, Haiti and Brazil, echoed this concern which led to the formation of a subgroup that devised a plan of action for the purpose of developing a Guide to Best Practices to implement the Intra Batch Traceability System, in order to implement control measures aimed at identifying the packaging of each production batch.

During the Meeting of the Group of Experts held in Santo Domingo, Dominican Republic, June 25 to 29, 2012, WKH *URXS DSSURYHG WKH DERYH PHQWLRQHG ³*XLGH WR %HVW

At that meeting of the Group of Experts, Argentina stated that it was necessary to go beyond the step already WDNHQ DQG WR GHYHORS D V\VWHP RI ³FKHPLFDO PDUNLQJ´ R measure to those already included in the packaging, in order to be able to retrace precisely the commercialization chain of the product when seized precursor chemicals have been repackaged (note: repack already indicates transition from one container to other) to containers without any identification labels or with fake labels, and thus, be able to pinpoint the latter stages of the chain or the point of diversion.

OBJECTIVES:

To prevent that controlled substances, which are very important for different industrial and commercial activities, are diverted to illicit drug production that could constitute a major threat to society.

To get the private sector to understand the importance of operating as responsible corporate citizens and social responsibility given the sensitivity of the substances they handle.

Manufacturers or re-packagers should implement D V\VWHP RI ³FKHPLFDO PDUNLQJ´ WR that, should control authorities request it, it would be possible to determine whether the product was indeed manufactured or repackaged by the business in question and, if so, identify the batch number (if it is feasible) for that product through the use of a laboratory sample. Furthermore, it would also be possible to identify who purchased the specific batch.

To develop a guide to help manufacturers and re-packagers from the member states to implement a identification and traceability system of precursor chemicals packaged within the same batch, which, after chemical testing in the laboratory, will make it possible to identify the manufacturer and the production batch of substances found repackaged in clandestine laboratories.

Control System:

The purpose of this guide to best practices is to provide guidance to businesses in member States in order to LPSOHPHQW D ***³Batch Chemical Identification System”*** to determine who purchased each batch of controlled chemical substances in cases where there has been intentional transfer of the substance to a different container, or where information regarding the batch and container has been deliberately altered or erased from the labels.

At first, this traceability system would be implemented for organic solvents and non-corrosive substances.

If the seller (manufacturer or re-packager) of chemical substances could identify the batch number and all the information related to it (number of customers to whom each batch of chemical substances was sold, the

SURSHUWLHV RI WKH VXEVWDQFH E\ WKH XVH RI D ³PDUNHU´ WKH containers without labels is detected in a clandestine narcotic laboratory, it would be possible to determine:

- At least who was the first purchaser of that precursor chemical from the manufacturer.
- Where the precursor originated, tracing back the history of locations and transfers along the distribution chain which will facilitate the detection o I DQRPDOLHV ZLWKLQ WKH SURGXFW chain.
- What was the commercialization chain of this product by retracing its stages until it reached the hands of those who used it to produce illicit drugs and, thus, identify the customer who helped carry out this type of illegal operation.

Depending on their financial resources and materials handled, businesses may opt for one or a combination of the traceability systems described below.

Afterwards, each manufacturer or re-packager must inform WKHLU FRXQWU\¶V FRQWURO HQ combination of systems it has chosen.

This document offers manufacturers of precursor chemicals in States Party, two possible systems which incorporate the latest technological advances.

As a result of continual technological advances and cost oscillation, the systems described below are merely examples and that complementary or substitute version of analog systems may be used, to develop a system of ³FKHPLFDO PDUNLQJ´ RI WKH SUHFXUVRU FKHPLFDO DV D additional security measure for those already included in the packaging.

1. <u>Microchip RFID:</u>

It consists of a tiny, radio-frequency tracking device, about the size of a pinhead, which can be placed in the container itself and is capable of holding a large amount of data about the product.

This type of device, destined to substitute the bar codes currently in use, can store all the data about a specific substance, such as: package number within a given batch, who purchased that substance, who manufactured it, who re-packaged it and any other information deemed pertinent.

Businesses will place microchips with special characteristics in each container within a specific batch.

Microchips must be innocuous in order to avoid altering the chemical properties of the substance but they must also be identifiable in the laboratory in order to be associated with a specific batch number.

Such association of microchips with specific manufacturing batches will enable each manufacturer to inform the control authority with certainty and precision not only whether it had produced a given substance, but also who had purchased it.

It should be pointed out that this system is useful only in cases in which the original container, either opened or closed, has been preserved and as long as the microchip has not been intentionally removed by the criminal organizations.

2. Nano Particles:

Nanoparticles (nanopowder, nanocluster or nanocrystal) are microscopic particles with one dimension less than 100 nm (nanometer [nm] =1 billionth of a meter).

The most important applications of nanoparticles have to do with improving existing materials and introducing new ones. For instance, just to cite a few examples, nanoparticles are being used in the manufacturing of high performance tires; fibers for the production of fabrics with anti-stain or wrinkle prevention properties; cosmetic products, pharmaceutical products and new therapeutic treatments; nanostructured water filters and membranes; to improve production processes through the introduction of more efficient or stronger materials and for the development of new materials to be used in the manufacturing of electronic products, aeronautics and the transportation industry as a whole.

The system would consist of incorporating nanoparticles of a certain type, to be determined by experts in this field in each business, in a way that it did not interfere with the composition and final use of the substance.
The number of those particles incorporated into the substance should be such that some of them always remain in the container once the substance is being used or transferred to another container.

These particles, the same as those placed in every other container within the same batch but different from those found in containers from any other batch, shall be the mechanism to identify each substance produced.
Then, using a non-intrusive identification method from outside the container and a light refraction system, it will be possible to determine the type of nanoparticles detected in a specific container found in a clandestine narcotic laboratory.

This system is useful in both, cases in which the original containers, either opened or closed but containing traces of the chemical substance, have been preserved as well as in cases in which the substance was transferred to another container.

Role of the manufacturer or re-packager:

With the implementation of the second system proposed and the identification of the nanoparticles, the manufacturer or re-packager should be able to report with a high degree of certainty to the requesting control or judicial authority in their country, the specific batch, the container number and who purchased the container found in a clandestine narcotic laboratory.

As previously stated, the system would also work if the substance was transferred from the original containers to a larger container because, in that case, several nanoparticles identifying several original containers would coexist in the larger container and, therefore, it would be possible to determine the origin and identification number of each of the original containers, as well as, if it is one or more manufacturer or re-packager.

The system would also be helpful in preventing counterfeiting since containers missing certain type of nanoparticles would not be the original containers of the manufacturers.

Guide for Tracing Seized Narcotics and Psychotropic Substances

Proposals of Best Practices for Chemical Traceability

Consolidation of proposals concerning the tracing of chemical substances in the production of narcotics and psychotropic substances, based on the work done by the expert groups in the Dominican Republic in June 2012

The countries that participated in this group were Peru (coordination), Mexico, Panama, Argentina, Brazil, Trinidad and Tobago, and the Dominican Republic.

By mutual agreement they stated that this document would not constitute a legal instrument with obligations for the member states, and would not eliminate, limit, or restrict existing control systems.

I. General Considerations

A. Concept

&KHPLFDO WUDFHDELOLW\ EDVLFDOO\ FRQVLVWV RI WKH LGHQW
psychotropic substances seized, confiscated, caught, held, or taken from someone who has them illegally, in order to identify the type, quality, and quantity of chemical substances they contain.

B. Problems

1. Most of the narcotics and psychotropic substances in world drug trafficking are obtained from processing with controlled chemical substances, but criminal organizations circumvent the control systems by using alternative chemical substances that are not controlled.
2. Formulas for illicit production of narcotics and psychotropic substances are not uniform, but often are common to specific groups or geographical areas, so the components of these QDUFRWLFV DQG SV\FKRWURSLF VXEVWDQFHV FDQ ³FKDU
nature and chemical composition, territorial origin, or the responsible criminal group.
3. The variety of methods and forms of production makes it impossible to quantify the chemical substances and raw materials used in the production of narcotics and psychotropic substances, and to calculate the production of narcotics and psychotropic substances; therefore, the estimates are often arbitrary.

C. Legal Basis

1. The United Nations Convention against Illicit Trafficking in Narcotics and Psychotropic Substances of 1988.
2. Model Regulations for the Control of Precursors and Chemical Substances

II. Best Practices

A. Objective

This document as a proposal of best pr DFWLFHV IRU ³FKHPLFDO WUDFHDELOLW\´ W
or psychotropic substances seized, confiscated, caught, held, or taken by competent authority from someone who has them illegally, in order to obtain information through technical and scientific instruments regarding:

1. The type, quality, and quantity of narcotic or psychotropic substance studied.
2. The percentage of active alkaloids and principles.
3. The type, quality, and quantity of residual chemical substances present.
4. The level of impurities and presence of cutting or adulterating agents.

B. Purpose

1. To determine the chemical composition of the narcotics and psychotropic substances, in order to implement control mechanisms for the substances used to make them.
2. To characterize the narcotics and psychotropic substances to determine their nature and chemical composition, territorial origin, or responsible criminal group in order to adopt measures, make forecasts, or use them in court.
3. To quantify the chemical substances and their relation to the raw material, in order to estimate or calculate the production potential.

C. Steps

This document describes the following steps that the member states can take to adopt the mechanisms, P H D V X U H V D Q G S U R M H F W L R Q V L Q D F F R U G D Q F H Z L W K H D F K F R X Legislation and needs:

1. **Pre-operational phase**

a. Implementation of legislation to standardize procedures for chemical traceability.
b. Implementation of sampling systems and methodologies with the assistance of professionals from the country or from abroad, seeking international cooperation where necessary.
c. Implementation of laboratories with the capacity to do chemical traceability analysis, or a decision to use local or international third-party installations.

2. **Operational phase**

a. Development of analytical procedures from the perspective of chemical traceability.
b. Obtaining the information, processing it, and organizing it.

3. **Post-operational phase**

a. Delivery of results obtained to the application authorities.
b. Use of the information by the competent authority.

D. Recommended Action

Preparation of a project for chemical traceability, to be executed in the Operational Phase (APPENDIX 01)

APPENDIX 01

General objective of the project	Chemical profiling of the narcotics or psychotropic substances seized, confiscated, caught, held, or taken by competent authority from someone who has them illegally.	
Specific objectives of the project	Objective 1	To determine the chemical composition of the narcotics and psychotropic substances, in order to implement control mechanisms for the substances used to make them.
	Objective 2	To characterize the narcotics and psychotropic substances to determine their nature and chemical composition, territorial origin, or responsible criminal group in order to adopt measures, make forecasts, or use them in court.
	Objective 3	To quantify the chemical substances and their relation to the raw material, in order to estimate or calculate the production potential.
Results expected in the project	Objective 1 To determine the chemical composition of the narcotics and psychotropic substances, in order to implement control mechanisms for the substances used to make them	
	Result 1.1.	Identification of the chemical substances and raw material used in the illegal manufacture of narcotics and psychotropic substances.
	Objective 2: To characterize the narcotics and psychotropic substances to determine their nature and chemical composition, territorial origin, or responsible criminal group in order to adopt measures, make forecasts, or use them in court.	
	Result 2.1	Identification of the type, quality, and quantity of the chemical substances used in the illegal manufacture of narcotics and psychotropic substances, classifying them by their nature and chemical composition, territorial origin, or responsible criminal group.
	Result 2.2	Organization of the information obtained, classifying it by nature and chemical composition, territorial origin, or responsible criminal group.
	Objective 3 To quantify the chemical substances and their relation to the raw material, in order to estimate or calculate the production potential.	
	Result 3.1	Interpolation of the estimated quantity of chemical substances and raw materials used for the illegal manufacture of narcotics and psychotropic substances, to estimate or calculate the production potential.

Expected results	Actions	Monitoring indicators	External factors that [illegible] execution
Objective 1 To determine the chemical composition of the narcotics and psychotropic substances			
Result 1.1. Identification of the chemical substances and raw material used in the illegal manufacture of narcotics and psychotropic substances.	1. Form the team responsible for the research	• Appointment of professional chemists	• Designation of coordinators or responsible parties.
	2. Present the research profile to the competent authorities for approval	• Report of meetings	
	3. Select the professional(s) or person(s) who will take the sample	• Appointment of professional chemists.	
	4. Hold training workshops	• Reports on the workshops	
	5. Select site and date	• Justification	
	6. Procure materials and implements for taking the sample	• Number of materials required for sampling • Purchase order • Delivery receipt • Invoices and/or receipts	• Lack of management capacity for procurement • Limitations on financial resources by category
	7. Select the sample	• Number of samples	
	8. Packing of samples	• Number of samples packed and labeled	

	9. Sign internal or external agreements or contracts for proper shipment of samples	• Specific agreements	• Considering this action irrelevant
	10. Delivery of the samples to the specified laboratory	• Waybill of transmission and receipt	• Impossibility of delivery
Objective 2 To characterize the narcotics and psychotropic substances to determine their nature and chemical composition, territorial origin, or responsible criminal group.			
Result 2.1 Identification of the type, quality, and quantity of the chemical substances used in the illegal manufacture of narcotics and psychotropic substances, classifying them by their nature and chemical composition, territorial origin, or responsible criminal group.	11. Receive the results of the laboratory analysis	• Laboratory document	• Delay in sending the samples
	12. Analyze the results and describe them	• Report on the type, quality, and quantity of the chemical substances used • Report on classification by their nature and chemical composition, territorial origin, or responsible criminal group	
Objective 3 To quantify the chemical substances and their relation to the raw material, in order to estimate or calculate the production potential			
Result 3.1 Interpolation of the estimated quantity of chemical substances and raw materials used for the illegal manufacture of narcotics and psychotropic substances, to estimate or calculate the production potential	13. Development of dynamic statistical estimates by specialists.	• General report for the authorities • Report for personnel who make seizures • Report for the general public	• Turnover of the responsible personnel
	14. Sharing of results	• Workshops	
	15. Publication of results	Published research	• Delay in publication of the results

Work plan and timeline

Actions/Months	1	2	3	4	5	6
1. Form the team responsible for the research	x					
2. Present the research profile to the competent authorities for approval	x					
3. Select the professional(s) or person(s) who will take the sample	x					
4. Hold training workshops	x	x				
5. Select site and date	x	x				
6. Procure materials and implements for taking the sample	x					
7. Select the sample		x	x			
8. Packing of samples		x	x			
9. Sign internal or external agreements or contracts for proper shipment of samples		x				
10. Delivery of the samples to the specified laboratory			x			
11. Receive the results of the laboratory analysis				x		
12. Analyze the results and describe them				x		
13. Development of dynamic statistical estimates by specialists.				x		
14. Sharing of results					x	x
15. Publication of results						x

BUDGET					
Item (explain briefly)	**Units /cost per unit**	**Financing requested from the project**	**Local financing (COUNTRY) FOREIGN CURRENCY**	**Other external financing (other institutions or agencies) FOREIGN CURRENCY**	**Total Financing FOREIGN CURRENCY**
Human resources					
01 technical team (consisting of 3 professional chemists)	$$$ x 3 professionals x 6 months				
10 professionals or assistant chemical experts (half time)	$$$ x 10 professionals or chemical experts x 5 months				
2. Payments for services (include travel costs)					
Procurement of materials and implements for taking the sample	Kit composed of bags, labels, glass receptacles, plastic bottles, adhesive tape, spatulas, disposable spoons, markers				
3 workshops on standards for taking samples and wrapping samples					
Technical Director or external adviser					
Travel for gathering samples					
Certification of secondary standards to be used as a reference point					
Transfer of samples to the laboratory (travel and per diem)					
Administrative expenses					
Multidisciplinary technical meetings to share the results					
Writing, design, and editing of the report					
Publication of the report					
Subtotal 2 – Payments for services					
3. Other expenses					
Contingencies					
Subtotal 3 – Other expenses					
TOTAL BUDGET					
Subtotal 1 – Human resources					
Subtotal 2 – Payments for services					
Subtotal 3 – Other expenses					
TOTAL BUDGET OF THE PROJECT					

Information Bulletin on New Psychoactive Substances (NPS)

1. Purpose

The purpose of this information bulletin is to assist member states in addressing the emergence of new psychoactive substances (NPS) in their illegal drug market. The document suggests a definition for implicated substances and a number of actions member states could consider in tackling this extremely dynamic drug phenomenon.

2. Definition

A new psychoactive substance (NPS) is defined as a chemical or plant-based substance that has emerged on the illegal drug market, and that is not yet controlled under either the Single Convention on Narcotic Drugs, 1961 or the Single Convention on Psychotropic Substances, 1971. 6ROG DQG XVHG LQ SXUH RU SUHSDUDWLRQ IRUP DQG KLJKV´ WKH XVH RI WKHVH VXEVWDQFHV LV DVVRFLDWHG belies the innocuous packaging in which they are often sold. The term ³HPHUJLQJ´ UHIHUV V new or renewed presence on the illegal drug market, not necessarily newly discovered.

For ease of interpretation, the United Nations Office on Drugs and Crime (UNODC) has grouped NPS into six categories[1]:

- synthetic cannabinoids: cannabinoid receptor agonists that produce effects similar to delta-9-tetrahydrocannibinol, the active ingredient in marihuana; examples include JWH-018, JWH-073 and AM- SURGXFW QDPHV LQFOXGH EXW DUH ³.´ ³.URQcLF´ HW
- synthetic cathinones: analogues or derivatives of the internationally controlled substance cathinone that have a potent stimulant effect; examples include mephedrone and methylenedioxypyrovalerone;
- ketamine: a common human and veterinary anaesthetic that acts as a stimulant at low doses and a hallucinogen at high doses;
- phenylethylamines: substances related to amphetamine that have stimulant effects; examples include 2C-B, 2C-I and 2C-T-7
- piperazines: substances that mimic the effect of MDMA (ecstasy) and that have varying stimulant effects; examples include BZP, TFMPP and mCPP, and
- plants: plants with an array of psychoactive properties; examples include khat and salvia.

While some of these categories contain substances that are already under international control, the focus of this information bulletin however, is the substances of are not yet under international control.

3. Sources of Information

Member states can collect information about the prevalence of and risks associated with the use of NPS from multiple sources, both official and unofficial:

a. Official - Internal

-referral of detained or seized shipments from border and customs authorities/agencies

[1] ³1HZ 3V\FKRDFWLYH 6XEVWDQFHV´ Fact Sheet produced by the Global SMART Programme. 2013. Available at at http://www.unodc.org/documents/scientific/FACTSHEET_NPS.pdf

-domestic law enforcement agency seizures/ case reports
-forensic drug-testing laboratories
-health effect information, e.g., drug use network reports, adverse event reports, hospital emergency room UHSRUWV FRURQHU¶V RIILFH UHSRUWV SRLVRQ FRQWURO FHQW

b. Official - External
-reports from other countries
-reports from international organizations such as the UNODC, the World Health Organization, the European Monitoring Centre for Drugs and Drugs of Addiction
-scientific literature

c. Unofficial
-news media reports
-social media reports
-web-based information, e.g., drug experience websites, blogs, etc.

4. National Approaches to NPS

a. Creation of Substance Profiles

It is important for member states to establish individual profiles or dossiers on each substance as it emerges on their domestic drug market. These profiles would be easily and routinely updated with new information as it arises, and would be for use by all domestic agencies involved in addressing the emergence of the substance. These profiles could also be shared with other countries that might have just started to see the substance in their market.

These profiles could cover the following topics:
-source information, e.g., where the substance is being sold or purchased, where the substance is being imported from, how it is being imported, etc.
-domestic health effects that have been reported
-forensic laboratory information regarding the chemical properties of the substance
-available information regarding use and abuse

It is important to link the profiles established for related substances, as often, a new substance is introduced into the illegal drug market as part of a suite of related substances with similar effects.

b. Laboratory Identification

It is important for member states to develop the technical capacity to identify the substance or class of substances as it emerges in their illegal drug market. This includes the isolation of appropriate identification techniques, ensuring that the requisite technical capacity and equipment are available and mobilized for this purpose, and access to appropriate reference standards. The UNODC International Collaborative Exercises (ICE) program may be of assistance in obtaining required reference standards.

It is also recommended that member states collaborate in this area by sharing information about experience in assay development and practice. In this regard, member states could explore the design, development and implementation of on-line training courses in specific laboratory identification techniques and/or enhanced bilateral/sub-regional collaboration in order to facilitate capacity-building.

It is important that all validated information regarding the presence of one or more NPS be reported to the UNODC via its Early Warning Advisory (EWA) portal[2]. The EWA was established to provide member states with a single window for sharing NPS information, and in order to assist member states in identifying NPS via the sharing of validated identification techniques. Using information submitted via the EWA, the UNODC has and will continue to generate frequent reports regarding the emergence of NPS around the world.

c. Risk Assessment

It is important for member states, once they have collected basic information for a substance profile or series of related profiles, to determine what, if any, further action should be taken. In some instances, for example, no further action may be required because the risks associated with a particular substance or class of substances are not in fact as significant as they were originally made out to be. If this is the case, member states should however continue to monitor activity with the substance or class of substances, in case new trends arise that warrant further action at a later date.

In other cases, there may be a need to carry out an assessment looking at the social, health and/or economic impacts associated with the use, manufacture and distribution of the substance or class of substances. Such an assessment should also consider the level of involvement of organized crime in activities involving the substance or class of substances, the nature of precursor chemicals involved in production, and options for control of the substance or class of substances as well as possible consequences of implementing such controls. Of particular importance is information regarding the dismantling of illegal drug production establishments and the safe handling and disposition of materials coming from those establishments.

d. Risk Communication

Member states should consider carefully when it becomes appropriate to take steps to educate the general public and first responders, e.g., law enforcement, hospital emergency departments, etc., regarding the substance or class of substances.

For the public, the primary purpose of such risk communication efforts would be to signal the availability of the substance or class of substances in the local market by summarizing the known or suspected health and safety risks associated with the use of the substance or class of substances, with a view to preventing use and distribution. Risk communication messages regarding NPS should always be integrated with existing demand reduction strategies.

For law enforcement and health care providers, such risk communication efforts should highlight the importance of heightened vigilance and the need to report all interactions with the substance or class of substances to relevant competent authorities.

For hospitals, emergency personnel and poison control centers, communication documents should emphasize the critical importance of sharing health effect information with competent authorities.

e. Prevalence Assessment

Member states should consider including questions regarding NPS in general or targeted drug use surveys so as to collect as much information regarding the prevalence of a particular substance or class of substances within their jurisdiction.

[2] See https://www.unodc.org/LSS/Home/NPS for more information.

If survey results indicate a statistically significant change in use over a certain period of time, member states should consider carrying out a comprehensive risk assessment regarding the substance or class of substances, as set out above.

f. Legislative Approaches

Depending on the outcome of the risk assessment process set out above, member states may wish to consider instituting legislative controls on activities involving certain NPS. A means of controlling activities with a substance or class of substances quickly may be necessary if evidence presents that multiple substances are appearing on the illegal drug market, prevalence is high and the health and safety risks associated with use are significant.

Common means by which this can be achieved include but are not limited to:

i) accelerated scheduling that allows for an individual substance or class of substances to be scheduled in less time, e.g., temporary scheduling authorities or other powers that allow the scheduling process to proceed more quickly;
ii) analogues legislation that deems substances to be controlled by virtue of the fact that they are structurally similar to substances that are already controlled and have a similar pharmacological effect;
iii) generic scheduling legislation that deems substances to be controlled by virtue of the fact that they share a common core molecular structure;
iv) use of broader scheduling terminology, e.g., inclusion of terms such as ester, isomer, salt, etc., in existing scheduling entries;
v) creation of a list of substances that are specifically designated as controlled by virtue of the fact that they are structurally or pharmacologically similar to substances that are already controlled, and
vi) creation of a list of substances that are specifically designated as controlled but where only certain activities are prohibited, e.g., import, distribution but not for example, possession or production.

5. Conclusion

The advent of NPS on the global illegal drug market is a very real and present threat. Over 251 different NPS have been identified since 2011, and more substances are appearing in illegal drug markets around the world every day. Member states are encouraged to be vigilant in collecting information about the appearance of these substances within their jurisdictions, and work with partnering jurisdictions and relevant international organizations to address the health and safety risks thus presented to whatever degree is deemed necessary.