1. Necessity of drafting a legislative act

Title of the annotation (ex ante)

Preliminary (*ex ante*) impact assessment report (annotation) for the draft law ‘Amendments to the Law On the Procedures for the Entry into Force and Application of the Criminal Law’

1.1. Justification

Rationale for drafting

Ministry / Institutional Initiative

Description

Amendments to the Law on the Procedures for the Entry into Force and Application of the Criminal Law (hereinafter – the draft law) have been drawn up with the aim of bringing new psychoactive substances under control – the synthetic opioid spirochlorophine, cyclorphine and its derivatives, and the benzodiazepine group substance diclazafon desglicil substance gamma – butyrolactone or GBL.
It is further planned to establish control exemptions for the substances naltrexone, methyl naltrexone and bupropion, to include the substance zaleplon in the lists of controlled substances, to supplement the list of precursors with the following substances: isopropylidene (2-(3,4-methylenedioxyphenyl)acetyl)malonate or IMDPAM, 2-methyl-3-phenyloxirane-2-carboxylic acid (BMK glycidic acid) and its ethyl, methyl, propyl, isopropyl-, butyl, isobutyl-, sec-butyl- and tert-butyl- esters, 3-(1,3-benzodioxol-5-yl)-2-methyloxirane-2-carboxylic acid (PMK glycidic acid) and its ethyl, methyl, propyl, isopropyl-, butyl, isobutyl-, sec-butyl- and tert-butyl- esters, excluding PMK ethyllicidate, BMK methyl glycidate, and PMK methyl glycidate, and to supplement the description of the generic group ‘Dibenzopyranes’ in order to clearly subject several semi-synthetic cannabinoids to control.
To supplement the description of the group ‘2-phenylmorpholines’ with the description of ‘3-phenylmorpholines’ in order to include a number of substances corresponding to the generic formula of 3-phenylmorpholines that may pose a potential risk to health.
The draft law also provides for the establishment of national limits for the illegal circulation of new substances included in the draft law, as well as the control of several particularly dangerous substances in any quantity.

1.2. Objective

Description of the objective

Subject to control synthetic opioids (spirochlorophine), cyclorphene and its derivatives, benzodiazepine group substances - diclazafon desglicil, GBL, zaleplon, and to establish exceptions from control for substances used in human medicine -

naltrexone, methylnaltrexone, bupropion. To supplement the generic group "dibenzopyranes" and "2-phenylmorpholines", to supplement precursors, to determine the extent of illegal circulation for new substances included in the draft law and to determine that several substances of very high concern are controlled in any quantity.

Date of entry into force

1.12.2025

Justification

The amendments contained in the draft law will enter into force on 1 December 2025, given that the substances spirochlorphine, cyclorphine and its derivatives and diclazaphone desglycylate are set to expire under the SPKC's temporary ban on 1 December 2025, and in order to ensure that these substances do not re-enter circulation, the new regulation must be in place before the expiry of the temporary ban imposed by the SPKC.

1.3. Current situation, problems and solutions

Current situation

The lists of narcotic and psychotropic substances and precursors controlled in Latvia (hereinafter, list I, list II, list III, and list IV) are laid down in Annex 2 to the law 'On the Procedures for the Entry into Force and Application of the Criminal Law' (hereinafter referred to as the Law), drafted according to the UN Single Convention on Narcotic Drugs of 30 March 1961 and its amendments made pursuant to the 1972 Protocol amending the Single Convention on Narcotic Drugs of 30 March 1961, the Convention on Psychotropic Substances of 21 February 1971, and the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 19 December 1988 (hereinafter, the UN Convention on Narcotic Drugs). Annex 2 to the Law also lays down the maximum amounts of controlled narcotic and psychotropic substances that are considered small, and the minimum amounts that are considered large. Depending on these values, penalties for the illicit trade in narcotic and psychotropic substances are imposed [1].
Article 39 of the Single Convention on Narcotic Drugs of 30 March 1961, Article 23 of the Convention on Psychotropic Substances of 21 February 1971, and Article 24 of the Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 19 December 1988 stipulate that states may adopt stricter measures than those in these conventions if they consider such measures desirable or necessary to prevent or eliminate illicit trade in such narcotic and psychotropic substances and to protect the public health and welfare. Thus, the lists of controlled narcotic and psychotropic substances are regularly updated by including non-listed circulating substances.
As of 23 February 2013, narcotic and psychotropic substances are controlled in Latvia according to the principle of a generic system, i.e. basic formulas of chemical groups of substances with descriptions that identify substances included in the group

are subjected to control. At the same time, the law also gives a possibility to subject individual substances to control, if needed.
As of 14 November 2013, amendments to the Law on the Legal Circulation of Narcotic and Psychotropic Substances and Medicinal Products, and also Precursors are in force (Section 4(2)), which stipulates that by a decision of the Centre for Disease Prevention and Control (hereinafter, the Centre), the manufacture, acquisition, storage, transport, transfer or distribution of such new psychoactive substances or products containing such substances, which are not included in the lists of narcotic and psychotropic substances controlled in Latvia, as well as lists of precursors, and on which information has been received from the European Rapid Alert System or an opinion of a forensic examination body on new psychoactive substances, may be banned or limited for up to 12 months from the date of entry into force of the decision. As the substance, which is the subject of a decision of the Centre to ban the manufacture, acquisition, storage, transport, transfer or distribution of the new psychoactive substance in question or any products containing it, undermines the public health and safety, the substance must be subjected to continuous control under Annex 2 to the Law no later than in 12 months from the date of entry into force of the decision to prevent the substance from returning to circulation.

[1] The Criminal Law: https://likumi.lv/ta/id/88966-kriminallikums.
Law on the Legal Circulation of Narcotic and Psychotropic Substances and Medicinal Products, and also Precursors: https://likumi.lv/ta/id/40283-narkotisko-un-psihotropo-vielu-un-zalu-ka-ari-prekursoru-likumigas-aprites-likums.
The Law on Administrative Liability: https://likumi.lv/ta/id/303007-administrativas-atbildibas-likums.

Problems and solutions

Description of the problem

In accordance with the Centre’s Decision No 5-3/2024/7 of 4 December 2024 ‘On the imposition of a ban on the substance spirochlorofin and articles containing it’, the substance with the chemical name 8-[1-(4-chlorophenyl)ethyl]-1-phenyl-1,3,8-triazaspiro[4.5]decan-4-one), or spirochlorofin, was temporarily banned until 1 December 2025. The temporary ban was issued after receiving information from the Office for Chemical Expertise of the State Police’s Forensic Service on the identification and removal of the substance spirochlorofin from illegal circulation. Information received through the early warning system on new psychoactive substances. In addition, at the end of 2024, the European Monitoring Centre for Drugs and Drug Addiction (hereinafter referred to as EUDA) also detected spirochlorfin in the ESCAPE study on used syringe waste, indicating active use of the substance among users.
Pursuant to the Centre’s Decision No 5-3/2024/8 of 8 December 2024 on imposing a ban on the substance diclazafone desglycyl and articles containing it, the substance with the chemical name 2-amino-N-[4-chloro-2-(2-chlorobenzoyl)phenyl]acetamide

or diclazafone desglycyl is temporarily banned until 1 December 2025. Information on the substance diclazafone desglycyl has been received from the EUDA early warning system on new psychoactive substances. The substance has been identified in Denmark.
The decision of the Centre to temporarily prohibit the manufacture, acquisition, storage, transport, transfer or distribution of the relevant new psychoactive substance or articles containing it shall be valid for 12 months from the date of entry into force of the decision, which provides that the substance shall be subject to permanent control in Annex 2 to the Law in order to prevent the return of this substance to circulation.

Description of the solution

In the light of the above, it is necessary to establish a permanent ban or control of the substance spirochlorophine and the substance diclazafone desglycyl by including them as individual substances in Annex 2 to the Law, and by determining the small and large amounts of these substances, respectively, for the substance spirochlorphine 0.001 g and 1 g, and for the substance diclazafone desglycyl 0.6 g and 10 g.
In support of the amounts, it should be noted that the substance spirochlorofin is a synthetic opioid analgesic, the amount of which has been determined taking into account the amounts of existing controlled substances, including fentanyl. Spirochlorphine is 2-5 times stronger than fentanyl.
The substance diclazafone desglycyl is metabolised in the body to delorazepam, making it a ‘pro-drug’ of delorazepam. In view of this, the same limits should be set as for delorazepam.

Description of the problem

With the introduction of broader bans on already known substances, new and dangerous psychoactive substances are appearing on the illegal drug markets in Latvia and other European countries. One such substance is the synthetic opioid cychlorphine , which was identified at the end of 2024 in a study of syringe residues conducted by the SPKC and was also seized from illegal circulation several times at the end of the year. The substance cyclorphine is controlled as a structural analogue of brorphine, but, given that other substances with a similar chemical structure may appear on the market, it is necessary to establish a new generic formula description covering cyclorphine, brorphine and other similar compounds.

Description of the solution

To create a description of the already generic formula called 3-[1-(1-phenylethyl)piperidin-4-yl]-1H-benzimidazol-2-on, while excluding the substance brorfin, and set the amounts at 0.001 and 1 gram, respectively.

Description of the problem

The Medicinal Product Register of Latvia includes Wellbutrin SR 150 mg prolonged-release tablets (Reg. No. 99-1047) containing the active substance bupropion, as well

as combination products containing bupropion (in combination with naltrexone) Mysimba prolonged-release tablets (EU/1/14/988/001-002).
Authorised dispensing procedure for these medicinal products: prescription-only medicinal products.
Bupropion hydrochloride is an antidepressant and a drug indicated for the treatment of depressive disorders. As with other antidepressants, the mechanism of action is unknown, but it has been suggested that this action is related to a noradrenergic and/or dopaminergic mechanism. Medicines containing bupropion are thought to interact in the brain with substances called noradrenaline and dopamine. Bupropion does not cause addiction. Studies on predisposition to abuse in humans and extensive clinical experience have shown that bupropion has a low potential for abuse. Bupropion is intended for oral use only. In Latvia, medicines containing the unregistered substance bupropion are also distributed to patients on the basis of Article 10(7)(a) of the Pharmaceutical Law.
Mysimba, a combination product containing 2 active ingredients: naltrexone hydrochloride and bupropion hydrochloride, is used in obese or overweight adults to control body weight in combination with a calorie-restricted diet and exercise. The medicine works in areas of the brain that are involved in controlling food intake and energy consumption.
At the same time, bupropion is subject to control as a narcotic and psychotropic substance listed in Schedule I of the Latvian List of Controlled Substances (prohibited particularly dangerous narcotic substances, psychotropic substances and plants equivalent to them, the illegal circulation and misuse of which endangers health) as part of the generic group of narcotic substances ‘cathinones’.
In addition, it should be noted that bupropion-containing medicinal products are very widely distributed and used in Latvia. Bupropion-containing medicinal products are distributed in Latvia both as medicinal products included in the Medicinal Product Register of Latvia and as unauthorised medicinal products, taking into account the limited availability of medicinal products included in the Register. According to statistics, in 2023 approximately 7 300 packages of medicinal products were distributed, while in 2024 approximately 15 300 packages of medicinal products were distributed
with bupropion as the active substance. Bupropion is intended for oral use only and is available in tablet form.
The State Agency of Medicines has also received a letter from the Latvian Psychiatric Association, in which the Association informs that in the field of psychiatry periodically problems arise with the availability of medicinal products, including the availability of medicinal products containing bupropion hydrochloride in tablet form, which are essential for the treatment of certain diseases in order to improve the availability of medicinal products and speed up the receipt of medicinal products to patients, distributing them as unregistered medicinal products.
Making bupropion-containing medicinal products subject to control would create an additional administrative burden for both doctors and distributors of medicinal

products. If the medicinal product were subject to control as narcotic substances, psychotropic substances and precursors included in Schedule II and III in Latvia, doctors would have to prescribe it on a special prescription form, and the medicinal product could be distributed only to distributors (wholesalers and pharmacies) that have obtained a special permit (licence) to handle psychotropic or narcotic drugs, ensuring distribution in accordance with the requirements of the regulatory enactments regulating the circulation of narcotic drugs, psychotropic substances and precursors controlled in Latvia.
The current dispensation regime for bupropion-containing medicinal products is: Prescription medicines are dispensed to patients by a doctor on a standard prescription form only when necessary for treatment purposes.
Given that bupropion-containing medicinal products are actively used in therapeutic practice, are prescribed to patients only on an ad hoc basis for treatment purposes, are not addictive and have a low potential for abuse, it is necessary to exempt bupropion from control.
According to chemical experts, it is chemically easy to obtain other substances in the cathinone group, as well as amphetamines, from bupropion, but this risk is currently considered to be extremely low. The State Agency of Medicines actively monitors the quantities of medicinal substances sold and carries out appropriate monitoring. Thus, as the situation evolves, appropriate decisions on the control of a substance may be taken.

Description of the solution

To provide for an exception to paragraph 11(6) of Annex 2 to the Law, within the generic group ‘Cathonines’.

Description of the problem

In Latvia and other European Union countries, substances belonging to the group of what is referred to as semi-synthetic cannabinoids (such as HHC, H4CBD and others) are rapidly spreading. Currently, these and other similar compounds are controlled within the generic group "Dibenzopyranes", but there is a need to strengthen the description of the generic group so that the control of substances is unambiguous, indisputable and, at the same time, a wider range of potentially dangerous substances in the cannabinoid group is subject to control.

Description of the solution

Addition to the description of the generic group "Dibenzopyranes" specifying that cannabinol and compounds derived from cannabinol and cannabidiol (except cannabidiol) modified in ring A, substituted in ring B, ho homologues with different numbers of carbon atoms in the substituted position 3, their cis, trans and optical isomers, as well as their hydroxyl group derivatives and halogenated derivatives. The fixed amounts remain unchanged.

Description of the problem

At present, Annex 2 to the Law provides for the control of substances corresponding to the generic group 2 - phenylmorpholine, but does not provide for the control of substances belonging to the generic group 3 - phenylmorpholine (for example, 3 - (4 - fluorophenyl)morpholine, 3 - (3 - fluorophenyl)morpholine hydrochloride) which may pose risks in the future.

Description of the solution

It is proposed to supplement the generic formula '2 - phenylmorpholines' by adding '3 - phenylmorpholines' and leaving the existing amounts of 0.1 g and 5 g.

Description of the problem

At present, the term ‘plant mixture’ is used in points 12, 15, 17 and in points 1 and 2 of the relevant points of Annex 2 to the Law, which, according to the opinion of the expert of the Chemical Expertise Bureau of the Forensic Service Department of the State Police, is restrictive. The Forensic Service Department often receives for examination the upper parts of cannabis plants that have been treated with, for example, synthetic cannabinoids: MDMB-BUTINACA, ADB-BUTINACA, ADB-4en-PINACA and semi-synthetic cannabinoids: H4-CBD, HHC, HHCP.

Description of the solution

In order to correctly classify the parts of plants submitted, it is necessary to replace the term ‘plant mixture’ with the broader term ‘plant matter’, which includes both mixtures of plants and the upper parts of hemp plants, thus replacing the term ‘plant mixture’ with the term ‘plant matter’ in paragraph 12 of Annex 2 to the Law and subparagraphs 1 and 2 thereof, paragraph 15 and subparagraphs 1 and 2 thereof, and paragraph 17 and subparagraphs 1 and 2 thereof.

Description of the problem

Often, with the exception of psychoactive substances from illegal circulation, they have been mixed into the composition of various substances which are technically extremely difficult to separate from the basic substance (e.g. toothpaste). In such cases, for particularly dangerous substances, the historical rule has been that controls are applied to any quantity (carfentanil). This disclaimer is also necessary for the newly identified substances spirochlorfine and cyclochlorfine (generic formula).

Description of the solution

To supplement paragraph 12 of Annex 2 to the Law with the following wording:
Plant matter, compressed matter, liquid, mixture of substances, impregnated paper containing the substances referred to in paragraphs 5(9), 5(8), 9(9) and 11 of Chapter II of this Annex in any quantity and, accordingly, paragraph 12(7) of Annex 2 to the Law shall be amended as follows:
mixture of substances containing any of the substances referred to in paragraph 8 and paragraph 5(9) in any quantity.

Description of the problem

After evaluating the chemical structure of the substances and taking into account the assessment provided by the Centre, naltrexone and methylnaltrexone are considered to be substances included in Schedule II of narcotic substances, psychotropic substances and precursors controlled in Latvia under Annex 2 to the Law,
namely oxymorphone, hydrocodone, hydromorphone, metopone, norlevorphanol, oxycodone derivatives, as well as several other structurally related substances included in that schedule.
Article 3(3)(5) of the Law on the Legal Circulation of Narcotic and Psychotropic Substances and Medicinal Products, and Also Precursors (‘the Circulation Law’) provides that, in accordance with the procedures laid down in legislation governing the circulation of narcotic and psychotropic substances and medicinal products, Latvia is to control the derivatives, isomers, structural analogues, active metabolites, esters, ethers and salts (including the salts of derivatives, isomers, structural analogues, active metabolites, esters and ethers) of narcotic and psychotropic substances included in Schedules I, II or III of narcotic and psychotropic substances to be controlled in Latvia, as well as medicinal products containing narcotic and psychotropic substances included in those schedules, unless exceptions are laid down in legislation. Thus, pursuant to Section 3(3)(5) of the Circulation Law, naltrexone is subject to control as a narcotic substance, psychotropic substance and precursor listed in Schedule II of substances controlled in Latvia (highly dangerous narcotic substances and psychotropic substances equivalent to them, which are permitted for medical and scientific purposes).
The following medicinal products containing the active substance naltrexone are included in the Medicinal Product Register of Latvia: Naltrexone Accord 50 mg film-coated tablets (Reg. No. 10-0357), Relistor solution for injection containing the active substance methylnaltrexone (Reg. No. EU/1/08/463/001-011). Also combination medicines containing nalthrexone (in combination with bupropion) Mysimba prolonged-release tablets (EU/1/14/988/001-002) are included in the Medicinal Product Register of Latvia. The authorised dispensing procedure for all of the above-mentioned medicinal products: prescription-only medicinal products.
Naltrexone hydrochloride is used in combination with other medicines or therapies to help overcome addiction to opioid drugs. Naltrexone works by blocking receptors in the brain to block the effects of opioids. Patients no longer experience the euphoria they previously felt after taking opioids. Mysimba contains 2 active substances: naltrexone hydrochloride and bupropion hydrochloride, and is used in obese or overweight adults to control body weight, together with a low-calorie diet and exercise. This medicine affects areas of the brain that are involved in controlling food intake and energy consumption. Methylnaltrexone treats constipation caused by opioids (such as morphine or codeine) used to relieve moderate to severe pain. It is used in patients when other medicines used to treat constipation do not work.

The substance naltrexone is not addictive, with the result that the risk of misuse for intoxication purposes is low, and in view of the purpose for which naltrexone and methylnaltrexone are used, it is necessary to apply a control exemption.

Description of the solution

Both compounds – naltrexone and methylnaltrexone – are substances listed in paragraph 82 of Annex 2 to the Law, as well as derivatives and structural analogues of other substances. It is therefore necessary to issue an exception which will facilitate the use of medicines by those in need and prescribed on a therapeutic basis.

Description of the problem

The substance Gamma – butyrolactone or GBL is classified as a cyclic ester of gamma hydroxybutyric acid (GHB) included in Schedule II of Annex 2 to the Law and is often identified in illegal circulation.
The substance gamma-butyrolactone (GBL) can be used for intoxication purposes. After ingestion and absorption in the gastrointestinal tract, gamma-butyrolactone (GBL) is rapidly metabolised in the blood to gamma-hydroxybutyric acid (GHB) by the enzyme lactonase. Gamma-butyrolactone (GBL) is more lipophilic, absorbed faster in the gastrointestinal tract and is more bioavailable than its active metabolite gamma-hydroxybutyric acid (GHB). These pharmacokinetic properties make gamma-butyrolactone (GBL) more effective than gamma hydroxybutyric acid (GHB), but its effects last for shorter periods of time.[1]
At the same time, according to information provided by the Latvian Environmental, Geological and Meteorological Centre, the substance gamma-butyrolactone (GBL) is also widely used for industrial purposes in fields such as cast iron casting, metal casting, electric motors, generators and transformers, printer cartridge inks and cleaning products in the printing industry. In view of the above, the use of the substance gamma-butyrolactone (GBL) is permitted not only for medical and scientific purposes but also for industrial purposes subject to appropriate authorisations in accordance with the procedure laid down in the laws and regulations governing the circulation of narcotic and psychotropic substances and medicinal products.
Although GBL is already controlled as the cyclic ester of GHB, there is a need to strengthen the control of the substance so that it is unambiguous and irrefutable.
[1] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7837237/

Description of the solution

It is necessary to supplement paragraph 14 of Annex 2 to the Law with an additional subparagraph, setting the same quantities as for GHB (0.6 g and 10 g, respectively), since GBL is converted into GHB in quantitative terms.

Description of the problem

The drug zaleplon is a non-benzodiazepine hypnotic agent primarily intended for the short-term treatment of insomnia (ATC Code: N05CF03, level 4 – benzodiazepin-like medicines). It is known for its rapid onset and short duration of action. According to

the information available to the State Agency for Medicinal Products, a medicinal product containing the substance zaleplons was detected during the control of postal consignments. The active substance of the medicinal product is not included in the lists of controlled drugs, psychotropic substances and precursors in Latvia, nor is it controlled as a derivative or structural analogue of substances included in the lists of controlled drugs, psychotropic substances and precursors in Latvia.
Currently, medicinal products containing the substance zaleplone are not included in the Medicinal Product Register of Latvia, nor have they been distributed as medicinal products not registered in Latvia (medicinal products registered and used in other countries). However, medicines containing these substances are classified as ‘Z-drugs’ (zopiclone, zolpidem, eszopiclone and zaleplon).
Publicly available information on the web indicates that the substance zaleplon can lead to abuse and addiction.
Given that the substance may be used for intoxicating purposes, as well as the other Z-drugs included in the lists of narcotic substances, psychotropic substances and precursors to be controlled in Latvia, it is necessary to include the substance in Schedule III of narcotic substances, psychotropic substances and precursors to be controlled in Latvia (dangerous psychotropic substances that may be used for malicious purposes) in Annex 2 to the Law.

Description of the solution

The non-benzodiazepine class (Z-drugs, Z-medicines) is a sedative and hypnotic agent, similar compounds that are already controlled include eszopiclone, zolpidem, and zopiclone. Zaleplon is based on a similar heterobicycle, therefore the same amounts should be determined for this compound as for zolpidem (0.6 g and 10 g respectively). The substance should be included as an individual substance in paragraph 16 of Annex 2 to the Law.

Description of the problem

The substance isopropylidene (2-(3,4-methylenedioxyphenyl)acetyl)malonate (IMDPAM) as listed in COMMISSION DELEGATED REGULATION (EU) 2024/1331 of 28 February 2024 amending Regulation (EC) No 273/2004 of the European Parliament and of the Council and Council Regulation (EC) No 111/2005 as regards the inclusion of the drug precursor Isopropylidene (2-(3,4-methylenedioxyphenyl)acetyl)malonate (IMDPAM) and other substances in the list of scheduled substances in Category 1 of Annex I to Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004 on drug precursors (Regulation No 273/2004) and in Category 1 of the Annex to Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors (Regulation No 111/2005).
IMDPAM is used to produce 3,4-methylenedioxyphenylpropan-2-one, which in turn is a precursor to 3,4-methylenedioxymethamphetamine (MDMA), more commonly known as 'ecstasy'.

In accordance with Regulation No 2024/1331, seven esters of 2-methyl-3-phenyloxirane-2-carboxylic acid (BMK glycidic acid) and six esters of 3-(1,3-benzodioxol-5-yl)-2-methyl-oxirane-2-carboxylic acid (PMK glycidic acid) are added to the list of substances classified in Category 1 of Annex I to Regulation (EC) No 273/2004 and in Category 1 of the Annex to Regulation (EC) No 111/2005. Seven esters of 2-methyl-3-phenyloxyran-2-carboxylic acid (BMK glycidic acid) and six esters of 3-(1,3-benzodioxole-5-yl)-2-methyl-oxyran-2-carboxylic acid (PMK glycidic acid) have been identified as possible substitutes for BMK glycidic acid and PMK glycidic acid in illicit drug production. These esters can be easily designed to avoid the control and monitoring measures applicable to substances classified in Category 1 for BMK glycidic acid and PMK glycidic acid. They are also easily transformed into both classified substances.

Description of the solution

In order to comply with EU requirements, it is necessary to add the first category precursor Isopropylidene (2-(3,4-methylenedioxyphenyl)acetyl)malonate (IMDPAM) to paragraph 18 of Schedule IV (substances that may be used for the illicit manufacture of narcotic drugs or psychotropic substances, or precursors) of Annex 2 to the Law.

In order to comply with EU requirements, it is necessary to exclude Schedule IV narcotic substances, psychotropic substances and precursors controlled in Latvia (substances that can be used for the illicit manufacture of narcotic or psychotropic substances, i.e. precursors) the substance ethyl 3-(2H-1,3-benzodioxol-5-yl)-2-methyloxiran-2-carboxylate (PMK ethyl glycidate) specified in paragraph 18(8) and the substance methyl-3-(1,3-benzodioxol-5-yl)-2-methoxyiran-2-carboxylate (PMK methyl glycidate) specified in subparagraph 14 in Annex 2 to the Law. The substance 3-(1,3-benzodioxol-5-yl)-2-methyloxyran-2-carboxylic acid (PMK glycidic acid) referred to in paragraph 18(27) shall be accompanied by an indication: and its ethyl (CAS No 28578-16-7), methyl (CAS No 13605-48-6), propyl, isopropyl, butyl, isobutyl, sec-butyl and tert-butyl esters, with the same CN code as PMK glycidic acid.

Also, to exclude the substance methyl 2-methyl-3-phenyloxirane-2-carboxylate (BMK methyl glycidate) specified in paragraph 18(13) of the Schedule IV of narcotic substances, psychotropic substances and precursors controlled in Latvia (substances that may be used for the illicit manufacture of narcotic or psychotropic substances or precursors) in Annex 2 to the Law. For the substance 2-methyl-3-phenyloxyran-2-carboxylic acid (BMK glycidic acid) referred to in paragraph 18(26), to add the following statement: and its ethyl, methyl (CAS No 80532-66-7), propyl, isopropyl, butyl, isobutyl, sec-butyl and tert-butyl esters with the same CN code as BMK glycidic acid.

Have alternative options been assessed?

No

Has the proportionality of the requirements and the costs and benefits been assessed?

No

1.4. Evaluations/studies justifying the need for a the legal act

1.5. Ex-post evaluation

Is it going to be done?

No

1.6. Other

-

2. Impact of the draft legislation on economic development and administrative burden

Does the draft affect this area?

No

3. Impact on the State and local government budgets

Does the draft affect this area?

No

Other

-

4. Impact of the draft on the current legal framework

Does the draft affect this area?

No

4.2. Other

-

5. How the draft Regulation conforms to the international obligations of the Republic of Latvia

Does the draft affect this area?

Yes

5.1. Obligations to the European Union

Is it relevant?

Yes

CELEX number of EU legislation

32024R1331

Date, issuing body, number, type and title of the EU act

Regulation (EC) No 273/2004 of the European Parliament and of the Council and Council Regulation (EC) No 111/2005

Description

The requirements of Annex I(e) to Regulation No 273/2004 and Annex I(e) to Regulation No 111/2005 are implemented.

5.2. Other international obligations

Is it relevant?

-

5.3. Other

Description

Pursuant to Paragraphs 2.3 and 2.4 of the Cabinet Instruction No 1 of 23 February 2010 ‘Procedures on provision of information by the public administration on draft technical regulations”, the draft law shall be agreed with the European Commission.

5.4. Table 1: Compliance of the draft legislation with EU legislation

Date, issuing body, number, type and title of the relevant EU act	Regulation (EC) No 273/2004 of the European Parliament and of the Council and Council Regulation (EC) No 111/2005		
EU TA Article number	**Project unit taking over or implementing A**	**Taken over in whole or in part**	**Does B provide for stricter requirements and justification**
A	**B**	**C**	**D**
Has the Member State used discretionary rights to transpose or implement certain provisions of EU law? Why?	-		
Obligation to notify EU bodies and EU Member States pursuant to the law governing the provision of information on draft technical	-		

regulations, draft regulations on granting the state aid and draft financial regulations (for monetary policy)	
Other	-

6. Institutions involved in project development and public participation process

Public participation does not apply to this draft legislative act

Yes

Explanation

The draft law has been made available for public consultation on the Legislation Portal from 13.5.2025 to 27.5.2025. No objections or proposals to the draft Law were received.

6.4. Other

Other

-

7. Implementation of the draft legislation and its impact on bodies

Does the draft affect this area?

-

7.5. Other

Other

-

8. Horizontal impacts

8.1. Impact of the legal framework of the draft

8.1.1. On the development of public services

Does the draft affect this area?

No

8.1.2. On the development of national and local government information and communication technologies

Does the draft affect this area?

No

8.1.3. On the implementation of information society policy

Does the draft affect this area?

No

8.1.4. On the National Development Plan indicators

Does the draft affect this area?

No

8.1.5. On the development of territories

Does the draft affect this area?

No

8.1.6. On the environment

Does the draft affect this area?

No

8.1.7. On climate neutrality

Does the draft affect this area?

No

8.1.8. On the social situation of the population

Does the draft affect this area?

No

8.1.9. On equal opportunities and rights of persons with disabilities

Does the draft affect this area?

No

8.1.10. On gender equality

Does the draft affect this area?

No

8.1.11. On health

Does the draft affect this area?

No

8.1.12. On human rights, democratic values and the development of civil society

Does the draft affect this area?

No

8.1.13. On data protection

Does the draft affect this area?

No

8.1.14. On the diaspora

Does the draft affect this area?

No

8.1.15. On regulation of professions

Does the draft affect this area?

No

8.1.16. On the best interests of children

Does the draft affect this area?

No

8.2. Other

Other

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