



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Message 301

Communication from the Commission - TRIS/(2024) 2791

Directive (EU) 2015/1535

Notification: 2024/0552/DE

Request for supplementary information from the Commission.

Request for supplementary information - Demande d'informations complémentaires - Žádost o doplňující informace - Ersuchen um ergänzende Informationen - Искане за допълнителна информация - Žádost o dodatečné informace - Anmodning om supplerende oplysninger - Αίτηση συμπληρωματικών πληροφοριών - Solicitud de información complementaria - Lisateabe edastamise palve - Lisätietopyyntö - Zahtjev za dodatne informacije - Kiegészítő információ kérése - Domanda di informazioni complementari - Prašymas pateikti papildomos informacijos - Papildu informācijas pieprasījums - Talba għal tagħrif addizzjonali - Verzoek om aanvullende inlichtingen - Prośba o uzupełnienie informacji - Pedido de informações complementares - Solicitare de informații suplimentare - Žiadosť o ďalšie informácie - Zahteva za dodatne informacije - Begäran om kompletterande upplysningar - Iarraidh ar fhaisnéis fhorlíontach

MSG: 20242791.EN

1. MSG 301 IND 2024 0552 DE EN 11-10-2024 COM INFOSUP COM

2. Commission

3. DG GROW/E/3 - N105 04/63

4. 2024/0552/DE - C00C - CHEMICALS

5.

6. Within the framework of the notification procedure under Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, German authorities notified to the Commission on 1 October "Draft of a wording aid for the application for an amendment" (hereinafter "the notified draft").

On the basis of the notified document, Germany intends to reduce the spread and risk of abuse of three substances nitrous oxide, 1,4-butanediol (BDO) and gamma-butyrolactone (GBL). In order to do it, it is necessary to further develop the existing structure of the NpSG due to the mode of action of the substances, the extent of abuse and the associated health risk of other psychoactive substances.

In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the German authorities are kindly invited to reply to the following request for supplementary information:

- Please provide further justification for the notification as an urgent measure, in particular taking into account that as for nitrous oxide, the issues around the hazard of the substance and related consequences are known for several years and being discussed with Member States. In Germany, there is evidence, that this topic is being discussed since 2022, which does not fully qualify in terms of reacting to an unexpected threat, which is one of the mandatory conditions to notify as an urgency.

- Could you please explain, how the intended measure will ensure that nitrous oxide can still be sold when lawfully placed on the EU market as an EU-approved food additive, especially as regards the intended overall ban of online trade.

The German authorities are kindly invited to reply as soon as possible in order for the Commission services to examine the measure and its urgency.



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