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

Notification Number : 2026/0488/NL (Netherlands)

Ministerial decree containing a list of precursors, supplementing the regulation designating drug precursors, pursuant to Article 4a of the Abuse of Chemical Substances (Prevention) Act.

Date received : 08/09/2026
End of Standstill : Not applicable

Message

Message 001

Communication from the Commission - TRIS/(2026) 2516

Directive (EU) 2015/1535

Notification: 2026/0488/NL

Notification of a draft text from a Member State

Notification – Notification – Notifzierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta’ dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20262516.EN

1. MSG 001 IND 2026 0488 NL EN 08-09-2026 NL NOTIF

2. Netherlands

3A. Ministerie van Justitie en Veiligheid, DG Ondermijning, cluster Drugs

3B. Ministerie van Justitie en Veiligheid, DG Ondermijning, cluster Drugs

4. 2026/0488/NL - C00C - CHEMICALS

5. Ministerial decree containing a list of precursors, supplementing the regulation designating drug precursors, pursuant to Article 4a of the Abuse of Chemical Substances (Prevention) Act.

6. These are precursors/pre-precursors that can be used for the illicit manufacture of narcotic drugs or psychotropic substances and for which no legal uses are known (see list in annex).

7.

8. Pursuant to Article 4a of the Abuse of Chemical Substances (Prevention) Act, substances that are prohibited to be imported, exported, transported or possessed may be designated by ministerial decree (the Regulation designating drug precursors). This proposed decree supplements the annex to the Regulation designating drug precursors with new prohibited substances, as referred to in Article 4a, first paragraph, of the Abuse of Chemical Substances (Prevention) Act. This means that it is then prohibited to import, export, transport or possess the substances in question.

9. Legitimate objective: The objective of the decree is to restrict the production of and trafficking in illicit drugs in the Netherlands and, therefore, serves legitimate objectives, namely the interests of public order, public safety and public health.
Indiscriminately applicable measure: The measure is not discriminatory. The ban concerns both the import and export of the substances in question and does not otherwise discriminate as regards the origin of the substance or the nationality of the persons affected by the ban.
No harmonisation: The REACH Regulation and Regulations No 273/2004 and No 111/2005 provide a harmonised framework for the legal import, export and placing on the market of the supposedly registered substances. In addition, Union law provides for a monitoring mechanism in respect of non-registered substances known to be used in the illicit manufacture of narcotic drugs or psychotropic substances, but which are also legally used. However, while the European legal framework focuses on the legal trade in drug precursors, the proposed measure covers substances known to be drug precursors for which no legal use is known. These substances are traded and manufactured for no purpose other than the production of synthetic drugs and to circumvent the relevant regulations. Accordingly, a ban on them does not affect the framework of EU law in relation to drug precursors.

9a. The inclusion of the substances in the proposed decree was coordinated with members of an expert group on drug precursors, consisting of representatives of criminal justice and government organisations and the (chemical) industry. A report by the expert group on the substances in question (see annex) shows that the substances can be used for the illicit manufacture of narcotic drugs or psychotropic substances. A ban on the import, export, transport or possession of these substances could, therefore, help to curb the trade in and production of illicit drugs in the Netherlands.

9b. The measure does not go beyond what is necessary to achieve the intended objective. Consultation with the members of the expert group has ensured that the designation was carried out with due care. The expert group’s report (annex) shows that these are substances that can easily be used for the illicit manufacture of narcotic drugs or psychotropic substances, that there are no known legitimate uses for them and that several batches of these substances have already been seized between April 2015 and January 2026. The proposed ban, therefore, does not go beyond what is necessary to achieve the objective of curbing the production of and trade in illicit drugs.
Inclusion on the list of registered substances or on the list of unregistered substances cannot provide an alternative means to achieve the intended objective, as this is only possible for substances for which there are legal uses.

9c. As the measure applies only to substances for which no legal use is known and, therefore, has no impact on legal trade, it does not constitute an excessive burden in relation to the need to combat the trade in and production of illicit drugs.

10. Numbers or titles of the basic texts: 2024/0014/NL,2022/0156/NL

The basic texts were submitted with a previous notification:
2024/0014/NL
2022/0156/NL

11. Yes

12. The substances that are banned are directly related to the illicit production of narcotic drugs and psychotropic substances and must, therefore, be banned as soon as possible. Criminals change the chemical structures of the raw materials that they use very quickly. The Dutch government wants to be able to respond as soon as possible to such a threat. The urgency procedure will, therefore, be used again and again for future additional measures.

13. No

14. No

15. No

16.
TBT aspects: No

SPS aspects: No

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