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From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 14 July 2020

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

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Subject: ANNEXES to the COMMISSION DELEGATED REGULATION (EU) .../...
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 certain drug precursors in the list of scheduled substances

Delegations will find attached document C(2020) 4691 final.

Encl.: C(2020) 4691 final



Brussels, 14.7.2020
C(2020) 4691 final

ANNEXES 1 to 2

ANNEXES

to the

COMMISSION DELEGATED REGULATION (EU) .../...

**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 certain drug
precursors in the list of scheduled substances**

ANNEX I

Annexes I and II to Regulation (EC) No 273/2004 are amended as follows:

(1) Annex I is amended as follows:

(a) the table 'CATEGORY 1' is amended as follows:

i) the entry for Alpha-phenylacetonitrile is replaced by the following:

Substance	CN designation (if different)	CN Code	CAS No
<i>Alpha</i> -phenylacetonitrile (APAAN)		2926 40 00	4468-48-8

ii) in the entry for (1R,2S)-(-)-chloroephedrine, the CN code '2939 99 00' is replaced by '2939 79 90';

iii) in the entry for (1S,2R)-(+)-chloroephedrine, the CN code '2939 99 00' is replaced by '2939 79 90';

iv) in the entry for (1S,2S)-(+)-chloropseudoephedrine, the CN code '2939 99 00' is replaced by '2939 79 90';

v) in the entry for (1R,2R)-(-)-chloropseudoephedrine, the CN code '2939 99 00' is replaced by '2939 79 90';

vi) the following entries are inserted in the appropriate place sequentially according to the CN Code:

Substance	CN designation (if different)	CN Code	CAS No
'Methyl 3-(1,3-benzodioxol-5-yl)-2-methyloxirane-2-carboxylate (PMK methyl glycidate)		2932 99 00	13605-48-6
3-(1,3-benzodioxol-5-yl)-2-methyloxirane-2-carboxylic acid (PMK glycidic acid)		2932 99 00	2167189-50-4
<i>Alpha</i> -phenylacetoacetamide (APAA)		2924 29 70	4433-77-6
Methyl 2-methyl-3-phenyloxirane-2-carboxylate (BMK methyl glycidate)		2918 99 90	80532-66-7
2-methyl-3-phenyloxirane-2-carboxylic acid (BMK glycidic acid)		2918 99 90	25547-51-7

Methyl <i>alpha</i> -phenylacetoacetate (MAPA)		2918 30 00	16648-44-5’;
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(b) in the table ‘‘SUBCATEGORY 2A’, the following entry is inserted in the appropriate place sequentially according to the CN Code:

Substance	CN designation (if different)	CN Code	CAS No.
‘Red phosphorus		2804 70 00	7723-14-0’;

(c) in the entry for Anthranilic acid in the table ‘SUBCATEGORY 2B’, the CN code ‘2922 43 00’ is replaced by ‘ex2922 43 00’;

(d) in the entry for Sulphuric acid in the table ‘CATEGORY 3’, the CN code ‘2807 00 10’ is replaced by ‘2807 00 00’;

(2) in the table in Annex II, the following entry is added:

Substance	Threshold
‘Red phosphorus	0,1 kg’

ANNEX II

The Annex to Regulation (EC) No 111/2005 is amended as follows:

(1) the table 'CATEGORY 1' is amended as follows:

(a) the entry for Alpha-phenylacetoacetonitrile is replaced by the following:

Substance	CN designation (if different)	CN Code	CAS No
' <i>Alpha</i> -phenylacetoacetonitrile (APAAN)		2926 40 00	4468-48-8'

(b) in the entry for (1R,2S)-(-)-chloroephedrine, the CN code '2939 99 00' is replaced by '2939 79 90';

(c) in the entry for (1S,2R)-(+)-chloroephedrine, the CN code '2939 99 00' is replaced by '2939 79 90';

(d) in the entry for (1S,2S)-(+)-chloropseudoephedrine, the CN code '2939 99 00' is replaced by '2939 79 90';

(e) in the entry for (1R,2R)-(-)-chloropseudoephedrine, the CN code '2939 99 00' is replaced by '2939 79 90';

(f) the following entries are inserted in the appropriate place sequentially according to the CN Code:

Substance	CN designation (if different)	CN Code	CAS No
'Methyl 3-(1,3-benzodioxol-5-yl)-2-methyloxirane-2-carboxylate (PMK methyl glycidate)		2932 99 00	13605-48-6
3-(1,3-benzodioxol-5-yl)-2-methyloxirane-2-carboxylic acid (PMK glycidic acid)		2932 99 00	2167189-50-4
<i>Alpha</i> -phenylacetoacetamide (APAA)		2924 29 70	4433-77-6
Methyl 2-methyl-3-phenyloxirane-2-carboxylate (BMK methyl glycidate)		2918 99 90	80532-66-7
2-methyl-3-phenyloxirane-2-carboxylic acid (BMK glycidic acid)		2918 99 90	25547-51-7
Methyl <i>alpha</i> -phenylacetoacetate (MAPA)		2918 30 00	16648-44-5';

(2) the table 'Category 2' is amended as follows:

- (a) in the entry for Anthranilic acid in, the CN code '2922 43 00' is replaced by 'ex2922 43 00';
- (b) the following entry is inserted in the appropriate place sequentially according to the CN Code:

Substance	CN designation (if different)	CN Code	CAS No.
'Red phosphorus		2804 70 00	7723-14-0';

(3) in the entry for Sulphuric acid in the table 'Category 3', the CN code '2807 00 10' is replaced by '2807 00 00';

(4) the table 'Category 4' is amended as follows:

- (a) in the entry for medicinal products and veterinary medicinal products containing ephedrine or its salts, the CN code '3003 40 20' is replaced by '3003 41 00' and the CN code '3004 40 20' is replaced by '3004 41 00';
- (b) in the entry for medicinal products and veterinary medicinal products containing pseudoephedrine or its salts, the CN code '3003 40 30' is replaced by '3003 42 00' and the CN code '3004 40 30' is replaced by '3004 42 00'.