



2026/314

28.4.2026

COMMISSION DELEGATED REGULATION (EU) 2026/314

of 9 February 2026

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 precursors of synthetic cathinone and amphetamine in the list of scheduled substances

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004 on drug precursors ⁽¹⁾, and in particular Article 15 thereof,

Having regard to Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Union and third countries in drug precursors ⁽²⁾, and in particular Article 30a thereof,

Whereas:

- (1) Regulation (EC) No 273/2004 lays down measures for monitoring trade in drug precursors within the Union, while Regulation (EC) No 111/2005 governs trade in drug precursors between the Union and third countries. Annex I to Regulation (EC) No 273/2004 and the Annex to Regulation (EC) No 111/2005 each contain a list of scheduled substances, which are subject to a number of harmonised control and monitoring measures provided for by those Regulations.
- (2) National competent authorities indicated an increase in seizures of the following nine non-scheduled substances: (i) 3'-chloropropiophenone; (ii) 2-bromo-3'-chloropropiophenone; (iii) 3'-methylpropiophenone; (iv) 2-bromo-3'-methylpropiophenone; (v) 4'-methylpropiophenone; (vi) 2-bromo-4'-methylpropiophenone; (vii) 4'-chloropropiophenone; (viii) 2-bromo-4'-chloropropiophenone; and (ix) phenyl-2-nitropropene.
- (3) 3'-Chloropropiophenone and 2-bromo-3'-chloropropiophenone are precursors of 3-chloromethcathinone or clophedrone (3-CMC). 3'-Methylpropiophenone and 2-bromo-3'-methylpropiophenone are precursors of 3-methylmethcathinone (3-MMC). 4'-Methylpropiophenone and 2-bromo-4'-methylpropiophenone are precursors of mephedrone (4-methylmethcathinone or 4-MMC). 4'-Chloropropiophenone and 2-bromo-4'-chloropropiophenone are precursors of 4-CMC (clephedrone or 4-chloromethcathinone). Phenyl-2-nitropropene is a precursor of amphetamine.
- (4) 3-CMC, 3-MMC, 4-CMC and 4-MMC are synthetic cathinone stimulant drugs placed under international and European control. Amphetamine is also a controlled drug. These drugs may pose severe public health and social risks at Union level.
- (5) The Commission mandated the European Drugs Agency (EUDA) to assess the nine substances and provide information both on licit and illicit uses ⁽³⁾. According to the EUDA, the nine substances may be used in the illicit production of drugs through straightforward and scalable methods, needing only basic equipment and minimal technical proficiency to be executed. The seizures of those precursors increased in recent years in the Union. Some of them are used in the production of medicines marketed in the EU: 3'-chloropropiophenone is used in production of bupropion, a medicine intended for the treatment of depression and as an aid to smoking cessation. 2-Bromo-3'-chloropropiophenone is an intermediate in the manufacture of bupropion. 4'-Methylpropiophenone is used in production of tolperisone, a muscle-relaxant authorised for the treatment of muscle spasms and spasticity caused by different conditions. Phenyl-2-nitropropene may be used in the production of amphetamine-based medicines. In addition, the EUDA confirms that all nine substances concerned have legitimate uses as reference standards in analytical laboratories.

⁽¹⁾ OJ L 47, 18.2.2004, p. 1, ELI: <http://data.europa.eu/eli/reg/2004/273/oj>.

⁽²⁾ OJ L 22, 26.1.2005, p. 1, ELI: <http://data.europa.eu/eli/reg/2005/111/oj>.

⁽³⁾ EUDA home page | www.euda.europa.eu.

- (6) Given that the nine substances can be easily used to produce illicit drugs and there is evidence to that occurring in the Union, Regulations (EC) No 273/2004 and (EC) No 111/2005, respectively should be amended to include those nine substances in the list of scheduled substances of Category 1, as they pose the greatest risk when diverted towards illicit production. To avoid their diversion from licit channels, the trade and use of the substances should be subject to the strictest control and monitoring measures.
- (7) Furthermore, scheduling the nine substances would support national authorities in their fight against the illicit production of drugs since, from the date of entry into force of this Regulation, those substances are to be considered as 'precursors' within the meaning of Article 1, point 2, of Council Framework Decision 2004/757/JHA ⁽⁴⁾, for defining the minimum elements of crimes linked to trafficking in precursors.
- (8) Regulations (EC) No 273/2004 and (EC) No 111/2005 should therefore be amended accordingly.
- (9) Regulations (EC) No 273/2004 and (EC) No 111/2005 jointly implement the drug precursors related provisions of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted in Vienna on 19 December 1988 and approved on behalf of the Union by Council Decision 90/611/EEC ⁽⁵⁾. In view of the close substantive link between the empowerments contained in those Regulations, it is appropriate to adopt the amendments by way of one single delegated act.
- (10) However, legitimate uses in the production of medicine have been identified for some of the substances concerned, and some commercial laboratories might need to use the other substances as reference standards. Thus, there is a legitimate trade of the nine substances.
- (11) Therefore, the application of this Regulation should be deferred to give economic operators enough time to comply with the procedures provided for in Regulations (EC) No 273/2004 and (EC) No 111/2005, in particular, to obtain import or export authorisations and the appropriate licences,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 273/2004

Annex I to Regulation (EC) No 273/2004 is amended in accordance with Annex I to this Regulation.

Article 2

Amendments to Regulation (EC) No 111/2005

The Annex to Regulation (EC) No 111/2005 is amended in accordance with Annex II to this Regulation.

⁽⁴⁾ Council Framework Decision 2004/757/JHA of 25 October 2004 laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking (OJ L 335, 11.11.2004, p. 8, ELI: http://data.europa.eu/eli/dec_framw/2004/757/oj).

⁽⁵⁾ Council Decision 90/611/EEC of 22 October 1990 concerning the conclusion, on behalf of the European Economic Community, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (OJ L 326, 24.11.1990, p. 56, ELI: <http://data.europa.eu/eli/dec/1990/611/oj>).

*Article 3***Entry into force**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 18 September 2026.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 February 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

In Annex I to Regulation (EC) No 273/2004, in the list of scheduled substances, in the table for Category 1, the following entries are inserted sequentially, according to the CN Code:

Substance	CN designation (if different)	CN Code	CAS No
'3'-chloropropiophenone	1-(3-chlorophenyl)propan-1-one	29 147 900	34841-35-5'
'2-bromo-3'-chloropropiophenone	2-bromo-1-(3-chlorophenyl)propan-1-one	29 147 900	34911-51-8'
'4'-methylpropiophenone	1-(4-methylphenyl)propan-1-one	29 143 900	5337-93-9'
'2-bromo-4'-methylpropiophenone	2-bromo-1-(4-methylphenyl)propan-1-one	29 147 900	1451-82-7'
'3'-methylpropiophenone	1-(3-methylphenyl)propan-1-one	29 143 900	51772-30-6'
'2-bromo-3'-methylpropiophenone	2-bromo-1-(3-methylphenyl)propan-1-one	29 147 900	1451-83-8'
'4'-chloropropiophenone	1-(4-chlorophenyl)propan-1-one	29 147 900	6285-05-8'
'2-bromo-4'-chloropropiophenone	2-bromo-1-(4-chlorophenyl)propan-1-one	29 147 900	877-37-2'
'Phenyl-2-nitropropene	(2-nitroprop-1-en-1-yl)benzene	29 042 000	705-60-2'

ANNEX II

In the Annex to Regulation (EC) No 111/2005, in the list of scheduled substances, in the table for Category 1, the following entries are inserted sequentially, according to the CN Code:

Substance	CN designation (if different)	CN Code	CAS No
'3'-chloropropiophenone	1-(3-chlorophenyl)propan-1-one	2914 79 00	34841-35-5'
'2-bromo-3'-chloropropiophenone	2-bromo-1-(3-chlorophenyl)propan-1-one	2914 79 00	34911-51-8'
'4'-methylpropiophenone	1-(4-methylphenyl)propan-1-one	2914 39 00	5337-93-9'
'2-bromo-4'-methylpropiophenone	2-bromo-1-(4-methylphenyl)propan-1-one	2914 79 00	1451-82-7'
'3'-methylpropiophenone	1-(3-methylphenyl)propan-1-one	2914 39 00	51772-30-6'
'2-bromo-3'-methylpropiophenone	2-bromo-1-(3-methylphenyl)propan-1-one	2914 79 00	1451-83-8'
'4'-chloropropiophenone	1-(4-chlorophenyl)propan-1-one	2914 79 00	6285-05-8'
'2-bromo-4'-chloropropiophenone	2-bromo-1-(4-chlorophenyl)propan-1-one	2914 79 00	877-37-2'
'Phenyl-2-nitropropene	(2-nitroprop-1-en-1-yl)benzene	2904 20 00	705-60-2'