GUIDELINES ABOUT EUPHORIANT SUBSTANCES

The executive order on euphoriant substances includes lists of the specific substances covered by the law:

- **LIST A** includes substances that are not allowed in the country (cannabis, cat, heroin, opium, LSD).
- **LISTS B, D AND E** include substances that may only be used for medical and scientific purposes (e.g. amphetamines, MDMA, psilocybin).
- **LIST C** includes substances covered by the law only if they are not prepared as pharmaceutical preparations (e.g. codeine).

On the basis of a written requisition, the University is "born" to RECEIVE AND POSSESS euphoriant substances, except list A substances, for scientific purposes, cf. § 5, subsection 3 of the executive order: "*State scientific, medical and technical laboratories and institutions receiving the substances pursuant to a written requisition issued by the head of the laboratory or institution concerned for the purpose of using the substances for scientific purposes.*"

- However, the receipt and possession of Schedule A substances requires special authorisation
- However, the distribution of euphoriant substances requires special authorisation
- The introduction to or export of euphoriant substances from the country requires both a business permit and a special permit (certificate) for each transaction. The Danish Medicines Agency issues import and export certificates valid for 4 months.

The University may PRODUCE euphoriant substances and produce preparations thereof as long as this falls within the natural scope of the University's business area. Preparations are defined as: Solutions, dilutions, extracts, concentrates, tinctures, pharmaceutical preparations of any kind and, in general, any processing of the substances and drugs concerned that does not involve chemical modification of the substances.

Universities may USE euphoriant substances for purposes that fall within the natural business area of the institution.

Other uses require a business permit. A business permit describes the activities the holder is allowed to carry out. These include receipt, possession, import, export, repackaging and manufacture.
The authorisation is valid for a limited period of time and is followed by inspections to check the holder's procedures and records on euphoriant substances.

The following USE AND STORAGE CONDITIONS are stipulated:

- no more than the stipulated quantities may be stored
- contents must be safely labelled
- must be stored securely and inaccessible to unauthorised persons
- must be stored separately from foodstuffs and stimulants
- In the manufacture of list D and E substances, control measures must be implemented to prevent the unlawful removal of the named euphoriant substances.

A RECORD of the euphoriant substances must be kept. The record must meet the following detailed requirements:

All List A, B and C substances; § 17 subsection 2	**All List D substances;** § 21 subsection 2	**Manufactured, imported and exported List E substances;** § 21 subsection 3
1) Purchases, including imports, indicating type, quantity, supplier, date of entry into stockroom, reference to invoice and any import certificate number. 2) Sales, including exports, with declarations corresponding to those recorded under point 1. 3) Consumption of the preparations named in §1 subsection 3. 4) Consumption of preparations. The consumption of the named euphoriant substances and drugs must be recorded during any manufacturing of preparations. In the case of preparations covered by this executive order, the yield of the preparation concerned and deviation from the theoretical yield during manufacture and bottling must be indicated. 5) Deviation from the theoretical yield in terms of weighing out or dispensing the named euphoriants in smaller, for-sale bottlings. 6) Export of preparations named in subsection 3 that are not euphoriant substances named in subsection 1 and the export of which does not require authorisation. 7) Expenditure for analytical purposes and experiments indicating the nature, quantity and date of each expenditure, together with a general identifying description of the analysis or experiment in which the drug was used. 8) The destroyed quantity of the named euphoriant substances. 9) The quantity and nature of the named euphoriant substances converted into other euphoriant or non-euphoriant substances and the yield thereof. 10) The quantity of the named euphoriant substances manufactured. 11) The quantity of the particular raw materials used in the manufacture of the named euphoriants. 12) The quantity of the named euphoriant substances that are being stored, specified in such a way as to show how much is in the form of euphoriant substance or drug, in the process of being manufactured, as finished preparations and as finished sales packages."	1) Purchases, including imports, indicating type, quantity, supplier and date of entry into stockroom. 2) Sales, including exports, with declarations corresponding to those under subsection 1. 3) Quantity of manufactured substances and preparations.	1) The quantity of manufactured substances and preparations. 2) Quantities exported indicating countries of destination. 3) Imported quantities indicating countries of dispatch.

Be aware of the OBLIGATION TO REPORT. The obligation to report means that in January each year a set of accounts covering the activities of the previous calendar year must be prepared. Depending on the euphoriant substances handled, the accounts must contain information on, among other things, stockrooms, imports, exports, purchases and sales in Denmark and destruction.
The accounts are sent to the Danish Medicines Agency on special forms before 1 February. Universities are effectively exempt:

- List A, B and C substances: Only if you are subject to the requirements of a special permit are you subject to the obligation to report cf. § 18.
- List E and C substances: In accordance with § 22, the euphoriant substances listed in Schedules D and E must be reported.

- The Danish Medicines Agency has previously decided that a very small inventory of substances used almost exclusively for analytical purposes is considered non-existent, i.e. no start and end stocks have to be reported. The statistics only need to be reported if euphoriant substances have been imported, exported, manufactured, purchased or resold in the country. All stock entries are written off as already consumed for analytical purposes and the stock therefore remains zero even if there has been an entry during the year. In the case that a substance has only been used for analytical purposes and that this has been taken from the general stock, the Medicines Agency should simply receive a letter or email stating that there has been no activity in the past year.

NARCOTIC PRECURSORS can be easily converted into euphoriant substances and psychotropic substances. These substances are regulated by customs. Consideration should be given to the need for enhanced storage of drug precursors, including substances on the voluntary surveillance list.

Links

- Link to executive order: https://www.retsinformation.dk/eli/lta/2021/2446
- Link to the Danish Medicines Agency's guidelines, schedules and forms in this area: https://laegemiddelstyrelsen.dk/da/godkendelse/virksomhedstilladelse-og-registrering/euforiserende-stoffer/
- Link to KU's website on euphoriant substances: http://www.farma.ku.dk/index.php/Euforiserende-drugs-and-drugs/1763/0/
- The Danish Ministry of Taxation's law no. 1115 of 28 September 2017 on administration of the European Union regulations on euphoriant substance precursors
- Executive order no. 766 of 10 September 1993 on documentation and licensing for the manufacture of and trade in certain goods used in the illicit manufacture of and trade in narcotic drugs and psychotropic substances (precursors) etc. with its appertaining amended executive order no. 666 of 28 June 2001
- The European Parliament and Council's regulation (EU) no. 273/2004 of 11 February 2004 on drug precursors: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02004R0273-20210113&qid=1656668224214