

**GROUP OF EXPERTS ON CHEMICAL SUBSTANCES AND PHARMACEUTICAL
PRODUCTS**

May 29 - 31 2018

Panama City, Panama

CICAD/SRU/GoE/

QUIM/doc.5.2/18

Original: Español

**AGREEMENTS OF VOLUNTARY COOPERATION BETWEEN NATIONAL
AUTHORITIES OF CONTROL FOR CHEMICAL SUBSTANCES AND THE PRIVATE
INDUSTRY: NATIONAL EXPERIENCES AND IDENTIFICATION OF GOOD
PRACTICES**

Federal Commission for the Protection against Sanitary Risks

Sanitary Authorization Commission

**Agreements of voluntary cooperation between National Authorities
of Control for Chemical Substances and the Private Industry:
National experiences and identification of good practices**

Background

- Derived from the United Nations Convention against Illicit Traffic of Narcotic Drugs and Psychotropic Substances of 1988 (**1988 Convention**), the procurement of substances used for the illicit manufacture of drugs has become particularly difficult for the illegal market.
- This has led illegal markets to explore new ways to obtain chemicals products that could serve as drug-processing substitutes.
- As a result, new processing or manufacturing methods have been discovered with substances not currently under international control.

Background

- During the last 2 years, the General Attorney of the Republic and the General Administration of Customs detected a "suspicious increase" in the entry into our country of four substances that can be used to produce methamphetamine. These substances have no therapeutic use, however; they are substances widely used in the the legally established chemical industry:

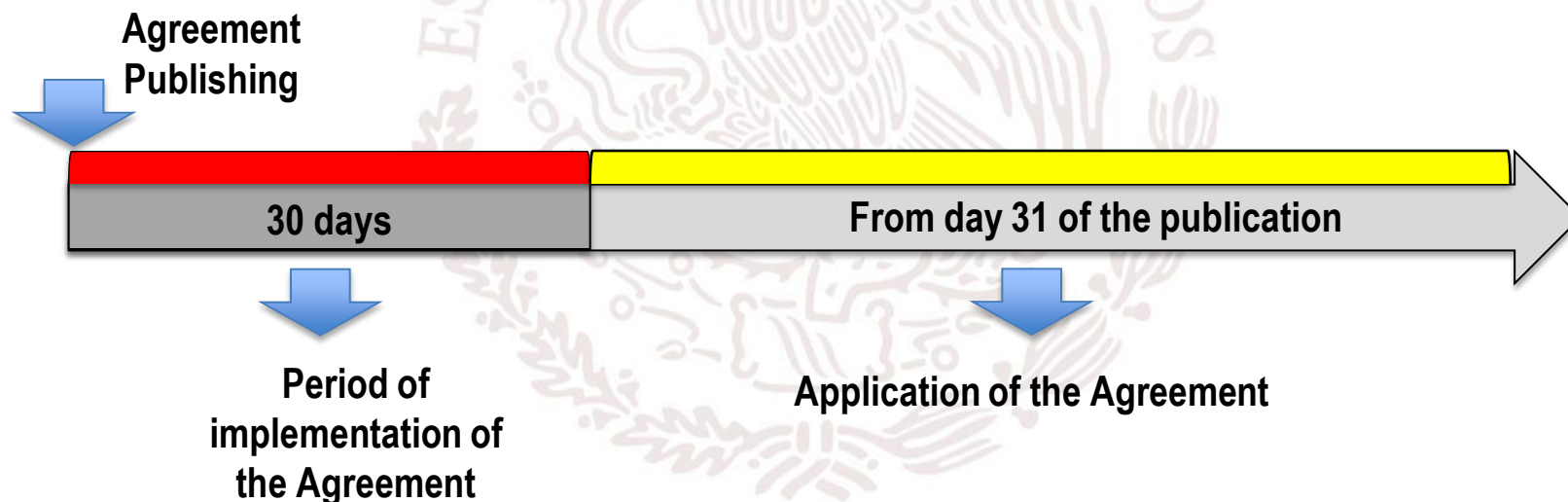
Substance	Industrial Application
Nitroethane	Industrial solvents
Nitromethane	Additives for fuels Precursor for synthesis of explosives
Benzaldehyde	Synthetic perfumes
Benzyl Chloride	Acrylic dyes Flavor compounds

- Since the end of 2014, the National Center for Planning, Analysis and Information to Combat Crime (CENAPI) has issued the recommendation for the General Council of Health, through an agreement to include the substances listed in the list of controlled substances.

Collaboration Agreement

Agreement signed by the General Health Council

- On October 1, 2015, the General Health Council (CSG) approved by unanimous vote an Agreement by which these four substances are regulated. This required the approval of the consensus of various dependencies of the Federal Government.
- Within the characteristics of this Agreement, the inclusion of a transitional regime of 90 days was envisaged to ensure an orderly implementation of the new applicable regulations.



New Applicable Regulatory Framework

- Derived from the signing of this Agreement, substances such as Nitroethane, Nitromethane, Benzaldehyde and Benzyl Chloride are already considered as psychotropic or narcotic by the General Health Law.
- Likewise, such substances are considered as chemical precursors or essential chemicals according to the Federal Law for the Control of Chemical Precursors, Essential Chemicals and Machines for Making Capsules, Tablets and / or Pills.
- Derived from the above, it is intended that these substances can be more regulated and thus avoid the production of amphetamine-type stimulants.

Collaboration Agreement with the Chemical Industry Sector



Collaboration Agreement with the Chemical Industry

Currently, in Mexico, there are just under 60 producers and / or marketers of Nitroethane, Nitromethane, Benzaldehyde and Benzyl Chloride in the country.

The chambers of commerce to which the producers or marketers are affiliated are:

- I. National Association of Manufacturers of Aromatic Products (ANFPA).
- II. National Chamber of the Transformation Industry (CANACINTRA).
- III. National Association of the Chemical Industry (ANIQ).
- IV. National Chamber of the Cosmetic Products Industry (CANIPEC).

Collaboration Agreement with the Chemical Industry

- The agreement signed today between COFEPRIS and the different Chambers and Associations of Industry, has the following objectives:

Collaboration Agreement with the Industry

Objective

- Define actions related to the control and sanitary surveillance of chemical products within the areas of competence of each of the parties, as well as to promote a proactive and positive attitude in the use of these substances.

Scope of this Agreement

- Develop a communication culture for the study, analysis and classification of chemical substances susceptible to sanitary control.
- Have a greater amount of import statistics, manufacturing and national consumption of chemical substances.
- Develop and share training materials for companies affiliated with these chambers and associations in the use of chemical substances.

Collaboration Agreement with the Industry

- It provides the guideline for the conclusion of future actions that can be developed in collaboration with the formal market industry in the use of chemicals susceptible to sanitary control.

Objectives of the Agreement for the Settlement of Shares

Scope of this Agreement

- Approach possible differences in the establishment of this regulation.
- Development of a "self-regulation" campaign by the industry in the use of chemical substances that includes obligations beyond the norm.
- To generate future actions in the regulation and use of substances that could be susceptible to the terms agreed in this agreement.

Benefits derived from the Agreement

Benefits derived from the Agreement

- The **Concertation Agreement** that is signed today generates the following benefits:
 - a) Training and follow-up mechanisms are generated for the chemical industry.
 - b) The chemical industry will act as a vigilante of bad practices that could detect in the market.
 - c) The supply of the formal market is guaranteed while rigorous mechanisms are in place to prevent diversion to the illegal market.
 - d) It prevents the initiation of fiscal and criminal proceedings against formal importers and marketers.
 - e) COFEPRIS will act as a channel of communication between the formal industry and other instances of the Federal Government for the implementation of the agreement.
 - f) Guidance is given to the future inclusion of new substances on which health regulatory measures could be applied.

Benefits derived from the Agreement

- Derived from this agreement for the concertation of actions, the following are the first results:
 1. On October 28, 2015 there was a first training session for the Chemical Industry (*practical workshop for the management of new substances to be regulated as chemical precursors*).
 2. This training was reinforced one month before the beginning of the validity of the agreement signed by the CSG.
 3. Semiannual training meetings will be held for the Chemical Industry for the implementation of this agreement, as well as for compliance with the regulation of other substances currently controlled, or that may require regulation in the future.

Benefits derived from the Agreement

- The agreement signed today is in line with the recommendations of the International Narcotics Control Board (INCB). This body has issued recommendations for:
 1. Establishing and implementing public-private partnerships.
 2. Establishing the conditions that should govern this type of agreements.
- Regarding this topic, Mexico stands as an international example in the application of cooperation policies between the Government and Industry.
- Mexico is the first country to sign an agreement of this nature with the Chemical Industry.

Conclusions

- From 2007 to 2015, there was an increase in imports of Nitroethane, Nitromethane, Benzaldehyde and Benzyl Chloride, substances that can be used as chemical precursors.
- Therefore, an agreement has been promoted that strengthens the power of the health authority to regulate the market for these substances in a more rigorous way, thus raising costs to informal markets.
- The agreement was prompted by a 30-day orderly transition period to ensure the supply of these substances in the legal market.
- In the framework of this transition, today an agreement is signed that reaffirms the commitment of the health authority and the productive sectors in the fight against health risks and illegality.

THANK YOU

Lic. Alberto Miguel Guzmán

***Executive Director of Regulation of Narcotics,
Psychotropic and Chemical Substances***

amiguel@cofepris.gob.mx

**Somos COFEPRIS,
somos ARN**