



EUROPEAN COMMISSION

Brussels, 28.5.2013
C(2013) 3082 final

Dear President,

The Commission would like to thank the Assembleia da República for its Opinion on the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No. 273/2004 on drug precursors of 27.9.2012 {COM(2012) 548 final} and apologises for the delay in replying.

The Commission welcomes the fact that the Opinion comes to the conclusion that the proposal complies with the principle of subsidiarity.

The Commission notes, however, that, despite the concluding positive assessment on the respect of the subsidiarity principle, in the rapporteur's view, the objective of monitoring users does not fall under the competence of the EU legislator but remains within national competence.

In the Commission's view, an EU-wide approach is necessary for efficient and effective controls and monitoring related to drug precursors. The inclusion of the users of acetic anhydride into the already existing EU-wide regime for registration of operators placing acetic anhydride on the market is needed to address the weakness identified under the current Regulation. This does not affect the compliance of the proposed legislative act with the subsidiarity principle. The Commission would also like to recall that, as is the case for the registration of operators under the current Regulation, the actual registration of users of acetic anhydride will be performed by the Member States authorities.

The Commission hopes that these clarifications address the concerns raised by the Portuguese Parliament and looks forward to continuing our dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

*Ms Maria da Assunção ESTEVES
President of the
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