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Dear Professor Wood and Professor Thomas

The Government's response to the Advisory Council on the Misuse of Drugs seventh addendum to its report on the use and harms of 2-benzyl benzimidazole ('nitazene') and piperidine benzimidazolone ('brorphine-like') opioids

I would like to thank the ACMD, particularly the Novel Psychoactive Substances (NPS) Committee, for your work on considering the harms of orphines. These are clearly extremely dangerous substances and I agree with you on the need to take action as soon as possible. I set out each recommendation and the Government's response below:

Revised Recommendation 1 to the original ACMD report:

The ACMD's recommendation

"In addition to Recommendation 1, the following compounds should be added **as a matter of urgency** to Class A of the Misuse of Drugs Act 1971, consistent with the classification of other potent opioids. As these materials have no medical use it is recommended that they should be placed in Schedule 1 of the Misuse of Drugs Regulations 2001 (as amended) and the Misuse of Drugs (Designation) (England, Wales, and Scotland) Order 2015, Northern Ireland 2001.

- Chlorphine
- Cychlorphine (N-propionitrile chlorphine)
- Spirochlorphine (R-6890)
- 5,6-Dichloro desmethylchlorphine (SR-17018)

- Etodezitramide
- Spirobrorphine
- 5,6-dichlorobrorphine (SR 14968)

Lead: Home Office

Measure of outcome: The inclusion of the listed compounds in Class A of the Misuse of Drugs Act 1971 and Schedule 1 of the Misuse of Drugs Regulations 2001 and the Misuse of Drugs (Designation) (England, Wales, and Scotland) Order 2015, Northern Ireland 2001 **as a matter of urgency.**”

The Government’s response

I accept this recommendation and will implement it as soon as the necessary parliamentary requirements can be completed.

Revised Recommendation 3 to the original ACMD report

The ACMD’s recommendation

“Inclusion of two generic definitions for piperidine benzimidazolone (‘brorphine-like’) opioids **as a matter of urgency** into the Misuse of Drugs Act 1971.

Materials covered by both generics should be added to Class A of the Misuse of Drugs Act 1971, consistent with the classification of other potent opioids. As these materials have no medical use, it is recommended that they should be placed in Schedule 1 of the Misuse of Drugs Regulations 2001 (as amended) and the Misuse of Drugs (Designation) (England, Wales, and Scotland) Order 2015, Northern Ireland 2001. The proposed wording for the generic for addition to the Misuse of Drugs Act is as follows:

“Any material (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from 1-(1-benzylpiperidin-4-yl)-1,3-dihydro-benzimidazol-2-one by modification in any of the following ways:-

- 1. By substitution to any extent on the phenyl ring of the benzimidazolone core by alkyl, alkoxy, halogen, haloalkyl, methylenedioxy, ethylenedioxy, ethyleneoxy or vinylenoxy*
- 2. By substitution at the 3- position nitrogen of the benzimidazolone core by alkyl, cyanoalkyl or acyl*
- 3. By substitution to any extent on the phenyl ring of the benzyl group by alkyl, alkoxy, halogen, haloalkyl, methylenedioxy, ethylenedioxy, ethyleneoxy or vinylenoxy*
- 4. By substitution on the methylene group of the benzyl group by alkyl containing up to three carbon atoms*
- 5. By replacement of the benzyl group by a 3,3-diphenylpropyl, a 3-cyano-3,3-diphenylpropyl or a 4-alkyl-4-oxo-3,3-diphenylbutyl group.”*

The matching Class A generic control of spirorhine-like materials is as follows:-

“Any material (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from 8-benzyl-1-phenyl-1,3,8-triazaspiro[4.5]decan-4-one by modification in any of the following ways:-

- 1. By substitution of the nitrogen at the 3- position of the triazaspiro core by alkyl*
- 2. By substitution to any extent on the phenyl ring of the benzyl group by alkyl, alkoxy, halogen, haloalkyl, methylenedioxy, ethylenedioxy, ethyleneoxy or vinylenoxy*
- 3. By substitution on the methylene group of the benzyl group by alkyl containing up to three carbon atoms*
- 4. By substitution to any extent on the 1-phenyl ring by alkyl, alkoxy, halogen, haloalkyl, methylenedioxy, ethylenedioxy, ethyleneoxy or vinylenoxy*
- 5. By replacement of the benzyl group by a 3,3-diphenylpropyl, a 3,3-diphenyl-3 cyanopropyl or a 4-alkyl-4-oxo-3,3-diphenylbutyl group.”*

Lead: Home Office.

Measure of outcome: The inclusion of two generic definitions for piperidine benzimidazolone ('bromorphine-like') opioids in Class A the Misuse of Drugs Act 1971 and Schedule 1 of the Misuse of Drugs Regulations 2001 and the Misuse of Drugs (Designation) (England, Wales, and Scotland) Order 2015, Northern Ireland 2001 **as a matter of urgency.**”

The Government's response

I accept this recommendation and will implement it as soon as the necessary parliamentary requirements can be completed.

Recommendation for control of specific named substances through the enactment of a temporary class drug order (TCDO)

The ACMD's recommendation

“If control under the Misuse of Drugs Act 1971, as proposed in revised Recommendations 1 and 3 above, cannot be expedited due to parliamentary or other time constraints, then the ACMD advises, that pursuant to Section 2B(1)(b) and (6) of the Misuse of Drugs Act 1971, the following compounds be subjected to a temporary class drug order:

- Cychlorphine (N-propionitrile chlorphine)
- Spirochlorphine (R-6890)
- 5,6-Dichloro desmethylchlorphine (SR-17018)
- Etodezitramide
- Spirobromorphine
- Chlorphine

- 5,6-dichlorobrorphine (SR 14968)

Lead: Home Office.

Measure of outcome: Enactment of a TCDO for these named compounds **as a matter of urgency.**”

The Government’s response

While we will pursue the necessary controls under the Misuse of Drugs Act 1971 (‘MDA’) as swiftly as possible, the process does take a certain amount of time under the procedure set out in section 2 of that Act. The instrument must be debated and approved by a resolution in each House and then made by the Privy Council. This can take a number of months.

A TCDO can be made where I have received a recommendation from the ACMD under section 2B of the 1971 Act that an order should be made (section 2A(3)(b)). As you will be aware, a recommendation should be made only where it appears to the ACMD that (a) the substance or product is a drug that is being, or is likely to be, misused, and (b) that misuse is having, or is capable of having, harmful effects. I am satisfied those tests are met.

Therefore, in view of the need to place controls on orphines as soon as possible, I accept this recommendation and will lay a TCDO before Parliament as swiftly as possible.

As always, I am grateful for the work of the ACMD in supporting the Government’s aims to protect the public from the harmful consequences of drug misuse and diversion, as part of the wider mission to keep our streets safe. Home Office officials will continue to work closely across government to implement the recommendations agreed in this letter and I look forward to seeing the delivery of these measures as soon as possible.

Very best wishes,



Sarah Jones MP
Minister of State for Policing and Crime