

China's Policies, Measures and Achievements on Class Scheduling of Fentanyl-like Substances

● Policies

President Xi Jinping announced China's decision to schedule fentanyl-like substances as a class in his meeting with President Donald Trump during the G20 Summit in Argentina last December. Following four months of study and legal procedures, the Chinese government announced on April 1, 2019 that China would start class scheduling of fentanyl-like substances, effective on May 1, 2019.

China's approach to class scheduling of fentanyl-like substances is more stringent and scientific than any other country in the world. First, the legal definition of fentanyl-like substances is specified, which allows for broader scope of control and prevents any attempt to circumvent the legal ban by modifying the chemical structure of the substances. Second, all fentanyl-like substances have been listed in the *Supplementary Catalogue of Controlled Narcotic Drugs and Psychotropic Drugs for Non-medical Use* (jointly released by China's Ministry of Public Security, National Health Commission and National Medical Products Administration) for permanent

control, so that there will not be a rebound of illegal production, sale or smuggling of the substances when the temporary control expires.

- **Key Measures**

1. Improving legal framework. To address the issue of applicable laws for cases involving fentanyl-like substances, several legal documents have been drafted, including *Provisions on Standards for Filing Criminal Cases Involving Fentanyl-like Substances* and *Opinions on Several Issues Concerning the Applicable Laws for Criminal Cases Involving Fentanyl-like Substances*.

2. Strengthening technical support. To step up technical capability of control and management, and resolve technical difficulties in examination and appraisal, drug labs are set up across the country to provide technical support.

3. Reinforcing inspection and examination. To eliminate the risks of illegal production, nationwide investigation and inspection have been conducted on bio-medical and chemical production bases, and enterprises and individuals involved in the production of the substances have been examined and verified. In addition, online information about the purchase and sale of fentanyl-like substances has been removed to cut off possible channels of online transaction. There have also been special inspections on the production and sale of fentanyl-like drugs so as to strengthen the management of legal drugs.

4. Enhancing law enforcement. A total of 13 key provinces and cities have launched coordinated operations to crack down on online sales of

fentanyl-like substances. Enterprises or individuals engaged in illegal activities have been brought to justice. Logistic companies are urged to follow three rules: asking for real name of senders, opening packages to check contents, and conducting security machine checks. In particular, more strict examinations are conducted at key custom checking points to intercept smuggled fentanyl-like substances whose destination is the U.S.

5. Raising public awareness. Public awareness campaigns have been conducted on China Central Television, Bloomberg and other Chinese and foreign media to educate the public about the perils of fentanyl-like substances and the laws and regulations on this front. Community-level law enforcement officials are given professional training to help them identify and examine fentanyl-like substances.

● **Achievements**

Thanks to earnest implementation of the various measures, significant progress has been achieved. China's law enforcement authorities have obtained information about 91 key enterprises and 234 key individuals involved with fentanyl-like substances across the country, and put all of them under strict supervision. With stringent control and law enforcement, the number of cases on smuggling of fentanyl-like substances to the U.S. has notably dropped. According to the data from the U.S. Department of Justice, in the first quarter this year, U.S. Customs and Border Protection only seized 0.29kg of fentanyl-like substances in 12 cases, a respective decrease of 99% and 93% of the two figures year on year. In the second quarter, 5kg were seized in 4 cases, down by 78% and 97 % respectively.

- **Future Steps**

China will further efforts in controlling fentanyl-like substances and strengthening law enforcement against trafficking of the substances. Given the fundamental importance of preventing drug abuse in addressing the fentanyl issue in the U.S., China looks forward to stronger domestic regulation on the U.S. side. It stands ready to further cooperation and coordination with the U.S. on this highly complicated issue on the basis of mutual respect and understanding.