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Professor Les Iversen
Chair
Advisory Council on the Misuse of Drugs
c/o ACMD Secretariat
1st floor Peel
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22 March 2016

Dear Les,

Psychoactive Substances Act and the alkyl nitrites (“poppers”)

Thank you for your prompt advice following my commission to the ACMD to make an assessment on the psychoactivity of the alkyl nitrites group in the context of the definition in the Psychoactive Substances Act 2016 and update your advice on harms.

As you state, this is the ACMD’s first bespoke piece of advice on “poppers” where it has specifically assessed their psychoactivity and mode of action. Of course, the ACMD has provided advice in the past and more recently in our exchanges on the definitions used in the Act. Informed by this advice and in common with others, the Government took the view that “poppers” was psychoactive for the purposes of the Act throughout its parliamentary passage.

Under the commission, I understand that the Council has now advanced its understanding of the psychoactivity of the alkyl nitrites group under the Act and concluded that only substances that directly stimulate or depress the central nervous system are psychoactive under the Act.

Having given due consideration, the Government agrees with your advice and interpretation of the definition. We do so in the understanding that “poppers” have these unique indirect effects. Our understanding is that this approach does not have any further implications for the operation of the Act and that other substances that the Act intends to cover are not affected. We remain confident that the psychoactivity of those substances can be established under the definition in the Act. We will ask law enforcement agencies to be guided by our agreement with your advice.

Our acceptance of your advice brings to an end the review process we were undertaking in parallel to consider the case for a bespoke exemption for the alkyl nitrites group under the Act on the basis of their beneficial and relationship effects. The process to exempt substances from the Act applies only to substances which meet the Act’s definition.

I am grateful for the ACMD's updated assessment of the harms of "poppers". This is in line with the government's position that there are harms associated with this group of substances. Some formulations of "poppers" have been banned under dangerous substances and cosmetic regulations. Your assessment of the harms of "poppers" including the latest formulation isopropyl nitrite, will no doubt inform the regulatory authorities responsible for the General Products Safety Regulations 2005.

We will ensure that our messaging across government and its agencies is updated. The ACMD advise that the reports of ocular damage though rare should be carefully monitored. Together with Government, I ask that the ACMD keep a check on this as well.

Again, please accept my thanks to the Council for presenting its advice promptly and, at our request, before the Psychoactive Substances Act 2016 comes into force.

Yours sincerely



Karen Bradley MP
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