

## Frequently Asked Questions about BZP Legal 'Party Pills'

These FAQs about BZP were released by Associate Minister of Health (Hon. Jim Anderton) on 20 December 2006 to assist interested parties in providing a submission relating to the potential classification of BZP, phenylpiperazines and related substances.

### Classification process

#### What were the Expert Advisory Committee on Drugs (EACD) recommendations?

The recommendations made on 4 December 2006 were:

- That BZP be classified under Schedule 3, Part 1 (Class C1) of the Misuse of Drugs Act 1975 (MODA)
- That the classification as a Class C1 drug covers all known analogues and derivatives of benzylpiperazine and phenylpiperazine that have no therapeutic use
- That benzylpiperazine be removed from Schedule 4 of the Misuse of Drugs Amendment Act 2005 in order that it no longer be a Restricted Substance
- That work continue to further develop the regulatory framework and enforcement capacity that would support the Restricted Substances provisions of the Misuse of Drugs Amendment Act 2005.

#### What other substances are currently classified as Class C1?

Schedule 3, Part 1 of MODA contains a range of illegal substances that are deemed to pose a moderate risk of harm and have no therapeutic purpose. These include:

- Cannabis fruit, plant and seed
- Coca leaf
- Catha edulis plant ('khat')

#### Will there still be provision for other restricted substances if BZP and related party pills are classified as controlled drugs?

Yes. The Restricted Substances Part and Schedule to the Misuse of Drugs Amendment Act 2005 will remain in place. The EACD advice to the Associate Minister was that work continue to further develop the regulatory framework and enforcement capacity that would support the Restricted Substances provisions of the Misuse of Drugs Amendment Act 2005. The work that is underway is aimed at strengthening control around future products that come onto the market in the way BZP and related party pills did i.e. without any responsibility on suppliers to provide adequate data of their effects or safety.

#### What is the process for classifying BZP and related piperazines?

Associate Minister of Health Hon Jim Anderton will seek the views of interested stakeholders on the EACD advice. If it is decided to recommend classification of these substances, Orders in Council will be drafted and referred to the Health Select Committee for consideration. The Orders in Council would involve removing BZP from Schedule 4 of the Misuse of Drugs

Amendment Act 2005, and adding BZP and related piperazines to Schedule 3 (Class C1) of the Misuse of Drugs Act 1975. The Orders will require an affirmative vote in Parliament before a recommendation is made to the Governor-General to bring the Orders into effect.

**How long will the Order in Council take, if the recommendation is for classification?**

The consultation process, Parliamentary scrutiny and the Order in Council processes are likely to take around six months.

The consultation process will begin in January 2007 with the aim to be completed by 31 March 2007.

**What are the penalties, should classification occur?**

A C1 classification would result in penalties of:

- Up to 8 years imprisonment for importation, manufacture or supply;
- Up to 3 months imprisonment for possession or \$500 fine, or both.

**What would a classification mean for other products of this type that are being sold?**

Following classification, all products containing BZP and related piperazines will be subject to the same penalties as Class C1 drugs. The Government will continue to monitor products of this type.

**Have any other countries classified BZP?**

BZP is prohibited in the United States, the Commonwealth of Australia, and Denmark.

**Instead of going to the expense of doing research here, couldn't we have just looked at the research into BZP that has already been undertaken in other countries?**

Until now, there has been very little research on BZP and no other country has made a comprehensive assessment of these substances. New Zealand researchers and the Ministry of Health have worked together to build a body of evidence for the EACD to consider.

**Have the EACD recommendations been made because of concerns the pills are being used in conjunction with other drugs or alcohol?**

The EACD's role is to consider the harms of specific substances. The Committee assesses substances both independently and in conjunction with alcohol and other substances.

**Is there a need for a consultation process with the party pill industry?**

Yes, consultation with the industry is important as manufacturers and suppliers of BZP will be affected directly if BZP is classified.

**Where can the research into BZP and related piperazines be accessed?**

- Wilkins, C. et al (2006). Centre for Social and Health Outcomes Research and Evaluation (SHORE), Massey University.  
[Legal party pill use in New Zealand: Prevalence of use, availability, health harms and 'gateway effects' of benzylpiperazine \(BZP\) and trifluoromethylphenylpiperazine \(TFMPP\).](#)
- Sheridan, J and Butler, R., (2006) Legal party pills and their use by young people. University of Auckland.

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- Thompson, I. et al (2006). The benzylpiperazine (BZP) / trifluoromethylphenylpiperazine (TFMPP) and alcohol safety study. Medical Research Institute of New Zealand.

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- Harnett, M.A (2006). BZP and piperazine-based party drug's a retrospective case series of 73 poisonings with "legal highs". New Zealand National Poisons Centre.

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- Gee et al (2005). Toxic effects of BZP-based herbal party pills in human: a prospective study in Christchurch, New Zealand. New Zealand Medical Journal 118  
[www.nzma.org.nz](http://www.nzma.org.nz)

- Gee et al (2006). BZP users attending Christchurch Emergency Department: Research report October 2006.

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## **Other implications should BZP be classified**

### **What are the implications of this EACD advice for stockpiling and discounting?**

If the substances are classified, as recommended by the EACD all quantities will be illegal and subject to penalties under MODA. There will inevitably be some people who may consider stockpiling or discounting in preparation for an adverse decision. However, the Government would expect importers and manufacturers to act responsibly.

### **If a decision is eventually made to classify these pills, will there be a case for a period of 'grace' before prosecutions for supply and possession commence?**

No, once the classification comes into effect, all offences against the MODA will be considered for prosecution. The effective "grace" period is between now and when BZP is classified, should this occur.

### **Are we expecting an illegal trade to develop if these pills are eventually classified?**

It is possible that some illegal trade will occur if these pills are classified. However, this will be dealt with in the same way as other illegal drug-related activity.

### **Would the pills still be available on the internet if classification occurred?**

Any operation base will be illegal following a classification of BZP and other piperazines. It will also be illegal to import any piperazine preparations prepared overseas.

### **If there are concerns already, why can't the products be taken off the shelves immediately?**

The EACD has advised classification based on an assessment that these products pose a moderate level of harm. If the assessment had been a high level of harm or very high level of harm an immediate recall of the products might well have been deemed appropriate but legal advice is that this would not be appropriate for products posing less than a high level of harm.

## **Party Pills**

### **What are party pills and how can they be identified?**

Legal 'party pills' (also known as 'social tonics', 'herbal highs', or 'legal highs') are psychoactive substances which commonly contain the chemical benzylpiperazine (BZP) and a combination of other additives, such as amino acids. They may also contain trifluoromethylphenylpiperazine (TFMPP) and other piperazine derivatives.

Products containing BZP are currently sold from a variety of retail outlets, including specialist 'party pill' retailers, sex shops and some 24-hour convenience stores, dairies and service stations. These products are packaged and labeled and typically include recommended dosage limits and health information.

### **Are they mostly imported?**

Most of the BZP and related substances available are imported into New Zealand in bulk form and the specific products manufactured in New Zealand.

### **What are the effects of BZP?**

BZP is an amphetamine-like substance with significant stimulant effects. Products containing BZP either alone or in conjunction with TFMPP and other piperazines are claimed to mimic the effects of amphetamines and MDMA (ecstasy), though at a lower level of potency. Common effects include euphoria, energy, enhanced senses and alertness.

The studies recently undertaken in New Zealand have confirmed that adverse effects of BZP and TFMPP may include insomnia, headaches, nausea and anxiety. Seizures have also been reported. There is a potential for severe toxicity in some individuals which has been reported after relatively low doses. The effect of long-term use of 'party pills' containing piperazines are as yet unknown.

### **How widespread is its use?**

Massey University conducted a National Household Survey of Legal Party Pill Use earlier this year. The study found that of the respondents surveyed, one in five people between the ages of 13 and 45 had tried party pills at least once and around 15% of respondents had used party pills in the last 12 months.

### **How is BZP currently controlled?**

In 2004, the Expert Advisory Committee of Drugs in its report on BZP recommended that an 'R18' age restriction be included in the legislation as a control measure to protect young people. The Misuse of Drugs Amendment Act 2005 added a new part to the Misuse of Drugs legislation and also a new schedule for Restricted Substances. BZP was placed on this schedule.

The restrictions on selling and supplying restricted substances to persons under 18 years and the other restrictions contained in the legislation, including a ban on advertising in major media and restrictions on free of charge distribution and rewards of restricted substances, were formed during the policy and Parliamentary processes. These were included to ensure that a level of control on these substances was in place.