

MCA POSITION ON THE ADVERTISING OF S2 MEDICINES

SECTION 22A OF THE MEDICINES ACT – SALE OF S2 MEDICINES

S (22A) of the Medicines Act provides for scheduled 2 substances to be sold in a pharmacy by a pharmacist, pharmacist intern or a pharmacist's assistant acting under the personal supervision of a pharmacist. Schedule 2 substances may be sold without a prescription and must be recorded in a permanent record. Schedule 2 substances may not be sold in the pharmacy to any person apparently under the age of 12 years except upon a prescription.

REGULATION 42 TO THE GENERAL REGULATIONS TO THE MEDICINES ACT

Only medicines in schedule 0 or schedule 1 may be advertised to the public. (S(1)).

Medicines which contain a substance listed in schedule 2 and above may be advertised to pharmacists, medical practitioners, dentists, veterinarians, practitioners and other authorised prescribers, or in a publication which is normally only made available to these persons (S(2)).

Information may be provided to the public on the price, name, pack sizes and strengths of medicines which contain a substance appearing in schedule with and to or higher but no reference to claims or indications may be made. S(3)

Advertising claims made must be within the registered professional information patient leaflets.

SAHPRA position is that scheduled 2 medicines may only be advertised to the registered pharmacy staff within the confines of a pharmacy. The advertising or promotion must not be visible to the public.

The MCA position is therefore that scheduled 2 medicines may not be advertised to the public even within the confines of a pharmacy. For this reason, albeit the MCA Guideline until recently suggesting otherwise, the MCA's position remains firm. This position is supported by the various industry associations. Should you have a question in this regard, please contact your association's Executive Director or CEO.