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LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

CANADA

Communicated by the Government of Canada

NOTE BY THE SECRETARY-GENERAL – In accordance with the relevant Articles of the International Treaties on Narcotic Drugs and Psychotropic Substances, the Secretary-General has the honour to communicate the following legislative texts.

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SOR/78-427 8 May 1978

E/NL.1979/39

FOOD AND DRUGS ACT

Food and Drug Regulations, amendment

P.C.1978-1520 4 May 1978

His Excellency the Governor General in Council, on the recommendation of the Minister of National Health and Welfare, pursuant to section 25 of the Food and Drugs Act 1/, is pleased hereby to amend the Food and Drug Regulations made by Order in Council P.C.1954-1915 of 8th December, 1954[1], as amended[2], in accordance with the schedule hereto marked Schedule No.441.

[1]SOR/54-664, Canada Gazette Part II, Vol.88, No.24, December 22, 1954, p.2680 and 1955 Consolidation, Vol.2, p.1675.
[2]SOR/78-424, Canada Gazette Part II, Vol.112, No.10, May 24, 1978.

1/ Note by the Secretariat: This text is available in the files of the United Nations Division of Narcotic Drugs.

* Authentic text in French was also transmitted by the Government of Canada and is available from the Secretariat on request.

SCHEDULE NO.441

1. Section G.02.014 of the Food and Drug Regulations is revoked and the following substituted therefor:

"G.02.014. (1) Every licensed dealer shall keep a record of the following:

"(a) the name and quantity of any controlled drug received by him, the name and address of the person who supplied it, and the date it was received;

"(b) the name, quantity and form of any controlled drug supplied by him, the name and address of the person to whom it was supplied and the date it was supplied;

"(c) the name and quantity of any controlled drug used in manufacturing, the name and quantity of any controlled drug manufactured, and the date any manufactured controlled drug was placed in stock; and

"(d) the name and quantity of any controlled drug he had in stock at the end of each month.

"(2) The record of information referred to in subsection (1) shall be kept

"(a) in a manner that permits an audit to be made;

"(b) subject to subsection (3), in a book, register or similar record maintained exclusively for controlled drugs; and

"(c) for any period of at least two years on the premises described in the licence of the licensed dealer.

"(3) The record of information referred to in paragraphs (1)(a), (b) and (d) may, with respect to a controlled drug listed in the schedule to this Part, be kept in a form other than that specified in paragraph (2)(b)."

2. Paragraph G.02.015(d) of the said Regulations is revoked and the following substituted therefor:

"(d) the record of information referred to in section G.02.014."

3. Section G.02.017 of the said Regulations is revoked.

4. Subparagraph G.02.025(1)(b)(iii) of the said Regulations is revoked and the following substituted therefor:

"(iii) an oral order for a controlled drug listed in the schedule to this Part or for a preparation"

5. Section G.03.001 of the said Regulations is revoked and the following substituted therefor:

"G.03.001. (1) A pharmacist, on receipt of a controlled drug from a licensed dealer or from another pharmacist, shall keep or cause to be kept a record of the name and quantity of the controlled drug received by him, the name and address of the person who supplied it and the date on which it was received.

"(2) The record of information referred to in subsection (1) shall be kept

"(a) in a manner that permits an audit to be made; and

"(b) subject to subsection (3), in a book, register or similar record maintained exclusively for controlled drugs.

"(3) The record of information referred to in subsection (1) may, with respect to a controlled drug listed in the schedule to this Part, be kept in a form other than that specified in paragraph (2)(b)."

6. Paragraph G.03.006(a) of the said Regulations is revoked and the following substituted therefor:

"(a) the practitioner, at the time that he issued the prescription, directed

"(i) in writing or orally, in the case of a controlled drug listed in the schedule to this Part, or

"(ii) in writing, in the case of a controlled drug not listed in the schedule to this Part,

that the prescription be refilled, the number of times that it may be refilled and the dates for or intervals between refills; and"

7. Section G.03.007 of the said Regulations is revoked and the following substituted therefor:

"G.03.007. A pharmacist who dispenses, pursuant to an order or prescription, a controlled drug other than a preparation or a controlled drug listed in the schedule to this Part shall forthwith enter in a book, register or similar record maintained for such purposes

"(a) the name and address of the person named in the order or prescription;

"(b) the name, initials and address of the practitioner who issued the order or prescription;

"(c) the name or initials of the pharmacist who dispensed the controlled drug;

"(d) the name, quantity and form of the controlled drug dispensed;

"(e) the date on which the controlled drug was supplied; and

"(f) the number assigned to the order or prescription."

8. Section G.05.001 of the said Regulations is revoked and the following substituted therefor:

"G.05.001. (1) A person who is in charge of a hospital shall keep or cause to be kept a record of the following information:

"(a) the name and quantity of any controlled drug received by the hospital;

"(b) the name and address of the person from whom any controlled drug was received and the date on which it was received;

"(c) the name and quantity of any controlled drug used in manufacturing, the name and quantity of any controlled drug manufactured and the date of manufacture thereof;

"(d) the name of the patient for whom a controlled drug was dispensed;

"(e) the name of the practitioner ordering or prescribing a controlled drug; and

"(f) the date on which a controlled drug was ordered or prescribed and the form and quantity thereof.

"(2) Subject to subsections (3) and (4), the record of information referred to in subsection (1) shall be kept

"(a) in a manner that permits an audit to be made;

"(b) in a book, register or similar record maintained exclusively for controlled drugs; and

"(c) for a period of at least two years.

"(3) The information referred to in paragraphs (1)(d) to (f) may, with respect to a preparation, be kept in a manner or form other than specified in subsection (2).

"(4) The information referred to in subsection (1) may, with respect to a controlled drug listed in the schedule to this Part, be kept in a form other than that specified in paragraph (2)(b)."

9. The said Regulations are further amended by adding thereto, immediately after section G.05.003 thereof, the following section:

"G.05.004. A person who is in charge of a hospital shall take all steps necessary to protect controlled drugs in the hospital against loss or theft and shall report to the Minister any loss or theft of a controlled drug within ten days of his discovery thereof."

10. Part G of the said Regulations is further amended by adding thereto, immediately after Division 6 thereof, the following schedule:

"SCHEDULE

"Barbituric acid and its salts and derivatives except Secobarbital [2/] and Pentobarbital and their salts and derivatives

"Butorphanol and its salts

"Diethylpropion and its salts

"Methylphenidate and its salts

"Thiobarbituric acid and its salts and derivatives"

11. (1) Item D.10 of Part I of Schedule F to the said Regulations is revoked.

(2) Item M.20 of Part I of Schedule F to the said Regulations is revoked.

SCHEDULE

1. Subparagraph 2(i)(ii) of the Narcotic Control Regulations is revoked and the following substituted therefor:

"(ii) includes, for the purposes of section 3, paragraph 21(8)(a) and sections 24 to 30 and 37, a person who is registered and entitled under the laws of a province to practise pharmacy and who is so practising in that province;"

2. Subsection 7(1) of the said Regulations is revoked and the following substituted therefor:

"7. (1) An application for a licence shall be made in a form approved by the Minister and shall, except in the case of an application for or on behalf of

"(a) any branch or agency of the Government of Canada or the government of a province or any employee thereof, or

"(b) any person or organization engaged in scientific investigations,

be accompanied by a fee of twenty-five dollars."

3. Subsection 20(2) of the said Regulations is amended by striking out the word "or" at the end of paragraph (d) thereof, by adding the word "or" at the end of paragraph (e) thereof and by adding thereto the following paragraph:

"(f) a Regional Director of the Health Protection Branch."

2/ Note by the Secretariat: International non-proprietary names of drugs are underlined.

4. Section 21 of the said Regulations is revoked and the following substituted therefor:

"21. (1) Subject to this section, a licensed dealer may, in accordance with the terms and conditions of his licence,

"(a) supply a narcotic other than methadone to a person or institution referred to in subsection 20(2), and

"(b) supply methadone to a person or institution referred to in subsection 20(3)

if the licensed dealer has, on the premises described in the licence, received

"(c) a written order,

"(d) an order sent through a computer from a remote input device, or

"(e) a verbal order for oral prescription narcotics

that specifies the name and the quantity of the narcotic to be supplied.

"(2) A licensed dealer may supply methadone to a hospital on a written order or an order sent through a computer from a remote input device from any practitioner if the practitioner is named in an authorization issued by the Minister pursuant to subsection 47(1).

"(3) Where a licensed dealer has received a written order referred to in paragraph (1)(c), he may supply

"(a) a narcotic other than methadone to a person or institution referred to in subsection 20(2), and

"(b) methadone to a person or institution referred to in subsection 20(3)

if

"(c) the order is signed

"(i) by the person to whom the narcotic is to be supplied, or

"(ii) in the case of an order made on behalf of a hospital, by the pharmacist in charge of the dispensary of the hospital or by a practitioner authorized by the hospital to sign the order on its behalf; and

"(d) the signature referred to in paragraph (c), if unknown to the licensed dealer, is verified.

"(4) A licensed dealer may supply a narcotic pursuant to an order received from a remote input device through a computer if the computer program and the remote input device meet the requirements thereof set out in subsections (6) and (7).

"(5) Where a licensed dealer has received a verbal order referred to in paragraph (1)(e), he may supply an oral prescription narcotic to a person or institution referred to in paragraphs 20(2)(b) to (d) if he forthwith records

"(a) the name of the person to whom the oral prescription narcotic is to be supplied;

"(b) in the case of an order made for or on behalf of a hospital, the name of the pharmacist in charge of the dispensary or the name of a practitioner authorized by the hospital to sign such an order on its behalf; and

"(c) the date that the order is received.

"(6) For the purpose of this section, a remote input device shall be a device for transmitting electronically orders for drugs, other than by voice communication, that

"(a) contains a unique identifying code that can be related to the device and the pharmacist or practitioner in whose possession and care the remote input device has been placed;

"(b) is in the possession and care of that pharmacist or practitioner; and

"(c) is designed in such a way that the unique identifying code for the remote input device is an integral part of the circuitry and can only be modified by the dismantling of the device.

"(7) For the purposes of this section, a computer program shall be able to

"(a) identify the remote input device, the name and address of the pharmacist or practitioner in whose possession and care the remote input device has been placed;

"(b) identify the pharmacist or practitioner placing the order by means of a code unique to that pharmacist or practitioner;

"(c) process separately and identify narcotics by the segregation of orders for those narcotics;

"(d) detect unusual orders and thereby necessitate intervention by the licensed dealer; and

"(e) necessitate manual intervention by the licensed dealer if one or more of the check procedures fails.

"(8) Where a licensed dealer has received a verbal order or an order sent from a remote input device through a computer from a pharmacist or practitioner, he shall, within five working days of filling the order for a narcotic, obtain and keep a receipt that includes

"(a) the signature of the pharmacist or practitioner who received the narcotic;

"(b) the date the pharmacist or practitioner received the narcotic; and

"(c) the name and quantity of the narcotic.

"(9) Where a licensed dealer does not receive, within the time stipulated in subsection (8), a receipt as required from the pharmacist or practitioner who placed the order, he shall not, until such time as he receives the receipt, supply any narcotic pursuant to any further verbal order or order sent from the remote input device from such pharmacist or practitioner."

5. All that portion of section 27 of the said Regulations preceding paragraph (a) thereof is revoked and the following substituted therefor:

"27. A pharmacist may, without a prescription, supply a preparation containing not more than eight milligrams or its equivalent of codeine phosphate per tablet or per unit in other solid form or not more than twenty milligrams or its equivalent of codeine phosphate per 30 millilitres in a liquid preparation, if"

SCHEDULE NO.416

1. Subparagraph G.01.001(h)(ii) of the Food and Drug Regulations is revoked and the following substituted therefor:

"(ii) includes, for the purposes of section G.01.003, subsection G.02.025(5) and sections G.03.002 to G.03.008 and section G.03.017 a person who is registered and entitled under the laws of a province to practise pharmacy and who is practising pharmacy in that province;"

2. Section G.02.007 of the said Regulations is revoked and the following substituted therefor:

"G.02.007. An application for a licence shall be made in a form approved by the Minister and shall, except in the case of an application for or on behalf of

"(a) any branch or agency of the Government of Canada or the government of a province or any employee thereof, or

"(b) any person or organization engaged in scientific investigations,

be accompanied by a fee of twenty-five dollars."

3. Paragraph G.02.024(e) of the said Regulations is revoked and the following substituted therefor:

"(e) Regional Director of the Health Protection Branch; or"

4. Section G.02.025 of the said Regulations is revoked and the following substituted therefor:

"G.02.025 (1) Subject to this section, a licensed dealer may, in accordance with the terms and conditions of his licence, supply a controlled drug to a person or an institution referred to in section G.02.024, if

"(a) the drug is in a package authorized and described in the licence of the manufacturer; and

"(b) the licensed dealer has received, on the premises described in the licence,

"(i) a written order,

"(ii) an order sent through a computer from a remote input device, or

"(iii) a verbal order for a preparation

that specifies the name and the quantity of the drug to be supplied.

"(2) Where a licensed dealer has received a written order referred to in subparagraph (1)(b)(i), he may supply a controlled drug to a person or an institution referred to in section G.02.024, if

"(a) the order is signed

"(i) by the person to whom the drug is to be supplied, or

"(ii) in the case of an order made on behalf of a hospital, by the pharmacist in charge of the dispensary of the hospital or by a practitioner authorized by the hospital to sign the order on its behalf; and

"(b) the signature referred to in paragraph (a), if unknown to the licensed dealer, is verified.

"(3) A licensed dealer may supply a controlled drug pursuant to an order received from a remote input device through a computer if the computer program and the remote input device meet the requirements thereof set out in subsections (5) and (6).

"(4) Where a licensed dealer has received a verbal order referred to in subparagraph (1)(b)(iii), he may supply a preparation to a person or institution referred to in paragraphs G.02.024(b) to (d) if he forthwith records

"(a) the name of the person to whom the preparation is to be supplied;

"(b) in the case of an order made for or on behalf of a hospital, the name of the pharmacist in charge of the dispensary or the name of a practitioner authorized by the hospital to sign such an order on its behalf; and

"(c) the date that the order is received.

"(5) For the purposes of this section, a remote input device shall be a device for transmitting electronically orders for drugs, other than by voice communication, that

"(a) contains a unique identifying code that can be related to the device and the pharmacist or practitioner in whose possession and care the remote input device has been placed;

"(b) is in the possession and care of that pharmacist or practitioner; and

"(c) is designed in such a way that the unique identifying code for the remote input device is an integral part of the circuitry and can only be modified by the dismantling of the device.

"(6) For the purposes of this section, a computer program shall be able to

"(a) identify the remote input device, the name and address of the pharmacist or practitioner in whose possession and care the remote input device has been placed;

"(b) identify the pharmacist or practitioner placing the order by means of an identifying code unique to that pharmacist or practitioner;

"(c) process separately and identify controlled drugs by the segregation of the orders for those drugs;

"(d) detect unusual orders and thereby necessitate manual intervention by the licensed dealer; and

"(e) necessitate manual intervention by the licensed dealer if one or more of the check procedures fails.

"(7) Where a licensed dealer has received a verbal order or an order sent from a remote input device through a computer from a pharmacist or practitioner, he shall, within five working days of filling the order for a controlled drug, obtain and keep a receipt that includes

"(a) the signature of the pharmacist or the practitioner who received the controlled drug;

"(b) the date the pharmacist or practitioner received the controlled drug; and

"(c) the name and the quantity of the controlled drug.

"(8) Where a licensed dealer does not receive, within the time stipulated in subsection (7), a receipt as required from the pharmacist or practitioner who placed the order, he shall not, until such time as he receives the receipt, supply any controlled drug pursuant to any further verbal order or order sent from a remote input device from such pharmacist or practitioner."

SOR/77-445 27 May 1977

E/NL.1979/40

NARCOTIC CONTROL ACT

Narcotic Control Regulations, amendment

P.C.1977-1472 26 May 1977

His Excellency the Governor General in Council, on the recommendation of the Minister of National Health and Welfare, pursuant to section 12 of the Narcotic Control Act 3/, is pleased hereby to amend the Narcotic Control Regulations made by Order in Council P.C.1961-1133 of 9th August, 1961[1] 4/, as amended[2], in accordance with the schedule hereto.

SCHEDULE

1. The Narcotic Control Regulations are amended by adding thereto, immediately after section 20 thereof, the following sections:

"20.1 Subject to section 20.2 and notwithstanding subsections 20(2) and (3) and section 27, no licensed dealer shall

"(a) supply a narcotic, other than an oral prescription narcotic, to a pharmacist identified in a notice given by the Minister pursuant to section 37.1;

"(b) supply an oral prescription narcotic, other than a preparation mentioned in section 27, to a pharmacist identified in a notice given by the Minister pursuant to section 37.2;

"(c) supply a preparation mentioned in section 27 to a pharmacist identified in a notice given by the Minister pursuant to section 37.3;

"(d) supply a narcotic, other than an oral prescription narcotic, to a practitioner identified in a notice given by the Minister pursuant to section 41.1; or

"(e) supply an oral prescription narcotic to a practitioner identified in a notice given by the Minister pursuant to section 41.2.

"20.2 Section 20.1 does not apply to a licensed dealer to whom the Minister has given notice of revocation

"(a) pursuant to section 37.5 in respect of a pharmacist identified in a notice given by the Minister pursuant to sections 37.1, 37.2 or 37.3; or

"(b) pursuant to section 41.4 in respect of a practitioner identified in a notice given by the Minister pursuant to sections 41.1 or 41.2."

2. The said Regulations are further amended by adding thereto, immediately after section 24 thereof, the following sections:

"24.1 Subject to section 24.2 and nothwithstanding subsections 24(2) and (3) and sections 25 to 27, no pharmacist shall

"(a) supply a narcotic, other than an oral prescription narcotic, to a pharmacist identified in a notice given by the Minister pursuant to section 37.1;

"(b) supply an oral prescription narcotic, other than a preparation mentioned in section 27, to a pharmacist identified in a notice given by the Minister pursuant to section 37.2;

"(c) supply a preparation mentioned in section 27 to a pharmacist identified in a notice given by the Minister pursuant to section 37.3;

[1] SOR/61-344, Canada Gazette Part II, Vol.95, No.16, August 23, 1961
[2] SOR/74-387, Canada Gazette Part II, Vol.108, No.13, July 10, 1974

3/ Note by the Secretariat: E/NL.1961/115.

4/ Note by the Secretariat: E/NL.1961/116.

"(d) dispense or supply a narcotic, other than an oral prescription narcotic, to a practitioner or pursuant to a prescription or order given by a practitioner identified in a notice given by the Minister pursuant to section 41.1; or

"(e) dispense or supply an oral prescription narcotic to a practitioner or pursuant to a prescription or order given by a practitioner identified in a notice given by the Minister pursuant to section 41.2.

"24.2 Section 24.1 does not apply to a pharmacist to whom the Minister has given notice of revocation

"(a) pursuant to section 37.5 in respect of a pharmacist identified in a notice given by the Minister pursuant to sections 37.1, 37.2 or 37.3; or

"(b) pursuant to section 41.4 in respect of a practitioner identified in a notice given by the Minister pursuant to sections 41.1 or 41.2."

3.(1) All that portion of section 27 of the said Regulations preceding paragraph (a) thereof is revoked and the following substituted therefor:

"27. (1) Subject to subsection (2), a pharmacist may, without a prescription, sell a preparation containing not more than eight milligrams or its equivalent of codeine phosphate per tablet or per unit in other solid form or not more than twenty milligrams or its equivalent of codeine phosphate per fluid ounce in a liquid preparation, if"

(2) Section 27 of the said Regulations is further amended by adding thereto the following subsection:

"(2) No pharmacist shall sell a preparation mentioned in subsection (1) where there are reasonable grounds for believing that the preparation will be used by a person for other than recognized medical or dental purposes."

4. Section 37 of the said Regulations is revoked and the following substituted therefor:

"37. The Minister may, in any of the circumstances described in paragraphs 37.4(a) to (f), communicate to the appropriate provincial authority of the province in which a pharmacist is registered and entitled to practise pharmacy information with respect to the pharmacist obtained under these Regulations together with any other information he considers relevant.

"37.1 The Minister

"(a) shall, in the circumstance described in subparagraph 37.4(a)(i), and

"(b) may, in the circumstance described in subparagraph 37.4(b)(i) or paragraph 37.4(c) or (d), after consultation with the licensing authority of the province in which the pharmacist is registered and entitled to practise pharmacy,

give notice to licensed dealers and pharmacists of the name and address of the pharmacist to whom the circumstance is applicable.

"37.2 The Minister

"(a) shall, in the circumstance described in subparagraph 37.4(a)(ii), and

"(b) may, in the circumstance described in subparagraph 37.4(b)(ii) or paragraph 37.4(c) or (e), after consultation with the licensing authority of the province in which the pharmacist is registered and entitled to practise pharmacy,

give notice to licensed dealers and pharmacists of the name and address of the pharmacist to whom the circumstance is applicable.

"37.3 The Minister

"(a) shall, in the circumstance described in subparagraph 37.4(a)(iii), and

"(b) may, in the circumstance described in subparagraph 37.4(b)(iii) or paragraph 37.4(f), after consultation with the licensing authority of the province in which the pharmacist is registered and entitled to practise pharmacy,

give notice to licensed dealers and pharmacists of the name and address of the pharmacist to whom the circumstance is applicable.

"37.4 For the purposes of sections 37 to 37.3, the circumstances described in this section are as follows:

"(a) a pharmacist has made a written request to the Minister that a notice be given by the Minister to licensed dealers and pharmacists setting out the pharmacist's name and address and stating that

"(i) no narcotic, other than an oral prescription narcotic, should be supplied to him,

"(ii) no oral prescription narcotic, other than a preparation mentioned in section 27, should be supplied to him, or

"(iii) no preparation mentioned in section 27 should be supplied to him; and

"(b) a pharmacist has violated a rule of conduct of the appropriate licensing authority of the province in which he is registered and entitled to practise pharmacy and that authority has made a written request to the Minister that a notice be given by the Minister identifying him pursuant to

"(i) section 37.1,

"(ii) section 37.2, or

"(iii) section 37.3;

"(c) a pharmacist has violated any of the provisions of sections 23 to 36 or paragraph 50(a) or (b);

"(d) a pharmacist is unable to demonstrate that all narcotics other than oral prescription narcotics purchased or obtained by him have been furnished by him in accordance with these Regulations;

"(e) a pharmacist is unable to demonstrate that all oral prescription narcotics, other than a preparation mentioned in section 27, purchased or obtained by him have been furnished by him in accordance with these Regulations; and

"(f) a pharmacist has violated any of the provisions of section 23, subsection 27(2) or paragraph 50(c).

"37.5 Where the Minister has given notice pursuant to section 37.1, 37.2 or 37.3 of the name and address of a pharmacist and the circumstances described in section 37.6 have occurred, the Minister shall give notice of revocation of that notice in respect of that pharmacist to licensed dealers and pharmacists.

"37.6 For the purposes of section 37.5, the circumstances described in this section are as follows:

"(a) a pharmacist and the appropriate licensing authority of the province in which the pharmacist is registered and entitled to practise pharmacy have made a written request to the Minister that the Minister revoke the notice given by the Minister identifying the pharmacist pursuant to

"(i) section 37.1,

"(ii) section 37.2, or

"(iii) section 37.3; and

"(b) one year has elapsed since the notice referred to in paragraph (a) was given by the Minister."

5. Section 41 of the said Regulations is revoked and the following substituted therefor:

"41. The Minister may, in any of the circumstances described in paragraphs 41.3(a) to (i), communicate to the appropriate licensing authority of the province in which a practitioner is registered and entitled to practise information with respect to the

practitioner obtained under these Regulations together with any other information he considers relevant.

"41.1 The Minister

"(a) shall, in the circumstance described in subparagraph 41.3(a)(i), and

"(b) may, in the circumstance described in subparagraph 41.3(b)(i) or paragraph 41.3(c), (d), (e) or (f), after consultation with the licensing authority of the province in which the practitioner is registered and entitled to practise

give notice to licensed dealers and pharmacists of the name and address of the practitioner to whom the circumstance is applicable.

"41.2 The Minister

"(a) shall, in the circumstance described in subparagraph 41.3(a)(ii), and

"(b) may, in the circumstance described in subparagraph 41.3(b)(ii) or paragraph 41.3(c), (g), (h) or (i), after consultation with the licensing authority of the province in which the practitioner is registered and entitled to practice

give notice to licensed dealers and pharmacists of the name and address of the practitioner to whom the circumstance is applicable.

"41.3 For the purposes of sections 41 to 41.2, the circumstances described in this section are as follows:

"(a) a practitioner has made a written request to the Minister that a notice be given by the Minister to licensed dealers and pharmacists setting out the practitioner's name and address and stating that

"(i) no narcotic, other than an oral prescription narcotic, should be supplied to him, or

"(ii) no oral prescription narcotic should be supplied to him;

"(b) a practitioner has violated a rule of conduct of the appropriate licensing authority of the province in which he is registered and entitled to practise and that authority has made a written request to the Minister that a notice be given by the Minister identifying the practitioner pursuant to

"(i) section 41.1, or

"(ii) section 41.2;

"(c) a practitioner has violated any of the provisions of sections 38, 39 or 39A or paragraph 50(a) or (b);

"(d) a practitioner has repeatedly administered a narcotic, other than an oral prescription narcotic, to himself on his own prescription or order other than in accordance with normal or accepted medical or dental practice;

"(e) a practitioner has repeatedly prescribed, furnished or administered a narcotic, other than an oral prescription narcotic, to his spouse, parent or child for other than normal or accepted medical or dental use;

"(f) a practitioner is unable to demonstrate that all narcotics, other than oral prescription narcotics, purchased or obtained by him have been used or otherwise dealt with by him in accordance with these Regulations after the Minister has made a request pursuant to paragraph 39A(a);

"(g) a practitioner has repeatedly administered an oral prescription narcotic to himself on his own prescription or order other than in accordance with normal or accepted medical or dental practice;

"(h) a practitioner has repeatedly prescribed, furnished or administered an oral prescription narcotic to his spouse, parent or child for other than normal or accepted medical or dental use; and

"(i) a practitioner is unable to demonstrate that all oral prescription narcotics purchased or obtained by him have been used or otherwise dealt with by him in accordance with these Regulations after the Minister has made a request pursuant to paragraph 39A(a).

"41.4 Where the Minister has given notice pursuant to section 41.1 or 41.2 of the name and address of a practitioner and the circumstances described in section 41.5 have occurred, the Minister shall give notice of revocation of that notice in respect of that practitioner to licensed dealers and pharmacists.

"41.5 For the purposes of section 41.4, the circumstances described in this section are as follows:

"(a) a practitioner and the appropriate licensing authority of the province in which the practitioner is registered and entitled to practise have made a written request to the Minister that the Minister revoke the notice given by the Minister identifying the practitioner pursuant to section 41.1 or 41.2; and

"(b) one year has elapsed since the notice referred to in paragraph (a) was given by the Minister."

SOR/78-426 8 May 1978

E/NL.1979/41

FOOD AND DRUGS ACT

Schedule G to the Act, amendment

P.C.1978-1519 4 May 1978

His Excellency the Governor General in Council, on the recommendation of the Minister of National Health and Welfare, pursuant to section 38 of the Food and Drugs Act [1], is pleased hereby to amend Schedule G to the said Act, as amended, in accordance with the schedule hereto marked Schedule No.440.

SCHEDULE NO.440

1. Schedule G to the Food and Drugs Act is amended by adding thereto, immediately after "Butorphanol and its salts", the following:

"Diethylpropion and its salts"

2. Schedule G to the said Act is further amended by adding thereto, immediately after "Methaqualone [2] and its salts", the following:

"Methylphenidate and its salts".