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LAWS AND REGULATIONS

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

PANAMA

Communicated by the Government of Panama

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

DECREE NO. 524
of 1 June 1956

The President of the Republic,
in the exercise of his statutory authority,

HEREBY DECREES AS FOLLOWS:

Article 1. In pursuance of the provisions of article 13 of Act No. 23 of 16 February 1954[1], the following definitions are hereby adopted:

"Soporific drug": a substance used in therapy for the purpose of inducing cerebral depression, stupor or artificial sleep.

"Narcotic drug": a substance which has a soporific effect - in particular opium or any of its derivatives or compounds - and which is capable of being addiction-producing, i.e. of inducing an irrestible urge to use the substance. This definition shall apply also to cocaine and its salts.

"Enervating drug": a substance which impairs nervous energy and reduces muscular strength.

Article 2. The forms for doctors, dentists and veterinary surgeons referred to in articles 22 and 23 of Act No. 23 of 1954 shall be supplied by the General Directorate of Public Health to doctors, dentists and veterinary surgeons who are duly authorized to practise their profession freely in the territory of the Republic and who are registered with the said Directorate.

Article 3. The prescription forms mentioned in article 2 above shall consist of books of twenty-five numbered prescriptions with counterfoils, made of strong paper, and golden yellow in colour; they shall be supplied at cost. When issuing a prescription in conformity with the provisions of article 23 of Act No. 23 of 1954, the doctor, dentist or veterinary surgeon concerned shall sign the form on both sides of the page (recto/verso).

1/ Note by the Secretariat: E/NL.1955/101.

A medical practitioner who prescribes a soporific, narcotic or enervating drug shall in addition complete the spaces in the appropriate counterfoil.

Article 4. In hospitals and other State institutions, and in private hospitals, special prescription forms printed on yellow paper shall be used for soporific drugs. These prescriptions shall be controlled by the Chief Medical Officer of the institution concerned.

Article 5. No pharmacy shall dispense a prescription for narcotic, soporific or enervating drugs after the expiry of forty-eight (48) hours from the time when the prescription was made out; in such cases, the person concerned shall be required to obtain a fresh prescription in order that it may be dispensed.

Prescriptions of enervating, narcotic or soporific drugs to be administered parenterally shall be dispensed for a period of forty-eight (48) hours only.

Article 6. Only pharmacies which operate lawfully in the territory of the Republic in conformity with the provisions of Decree No. 1302 of 9 April 1952 shall be authorized to dispense prescriptions issued by medical practitioners; the pharmacist in charge shall be responsible for interpreting and dispensing the prescription.

Article 7. Agents and druggists who hold stocks of medicaments, and who are in possession of the annual licence to import narcotic drugs which is referred to in article 15 of Act No. 23 of 1954, may issue enervating substances and narcotic or soporific drugs only to authorized pharmacies and solely against an order made out in triplicate and signed by the pharmacist in charge of the establishment concerned.

The original and one copy of this order must be approved by the Food, Drugs and Pharmacy Directorate before the order is executed; such orders must be made out on paper bearing the name of the purchasing establishment, the number of the Public Health licence and the professional registration number, and must be signed by the pharmacist in charge.

Article 8. Pharmacies shall dispense soporific, enervating and narcotic drugs in appropriate containers, which must bear an adhesive label giving the name of the pharmacy, the number under which the prescription is dispensed, the name of the patient, the name of the doctor or dentist, the instructions for use and the date of dispensing.

Article 9. A person who possesses any of the soporific, enervating or narcotic drugs mentioned in the present Decree shall not be liable to any penalty if he can prove that he obtained the drug from an authorized pharmacy by means of a prescription made out by a registered doctor.

Article 10. A prescription for soporific, narcotic and enervating drugs, or for proprietary medicaments containing such drugs shall be dispensed by the pharmacist in charge once only, on production of the prescription. It is strictly forbidden for the said pharmacist to dispense the same prescription again, at the request of the person concerned, even if the prescription is kept in the records of the pharmacy.

Article 11. In the event of the loss of a special prescription book for soporific, enervating or narcotic drugs, the doctor, dentist or veterinary surgeon concerned shall promptly advise the General Directorate of Public Health, indicating the number of the lost book.

When the sheets of a special prescription book for soporific, enervating or narcotic drugs have been used up, the doctor, dentist or veterinary surgeon concerned shall submit the counterfoils to the General Directorate of Public Health. Another prescription book will be issued to him only if the counterfoils contain the particulars specified in article 23 of the Act to which these regulations give effect and in article 3 of the present Decree.

Article 12. If a doctor, dentist or veterinary surgeon receives a sample of a soporific, narcotic or enervating drug, he shall give a signed receipt to the firm which supplied the sample. The original of the receipt shall be kept in its records by the firm supplying the

sample. Both parties concerned shall produce the receipts if directed to do so by the Inspector of the Food, Drugs and Pharmacy Directorate.

Article 13. The register of soporific, enervating and narcotic drugs shall be kept under the direction and immediate supervision of the pharmacist in charge; particulars of the various drugs and proprietary medicaments imported by the establishment, and the number of the import licence, shall be entered on separate pages. The register shall show the daily inward and outward movements of soporific, enervating and narcotic drugs. Such particulars relating to barbiturates shall likewise be entered in the register.

Article 14. Particulars of samples for medical use shall be entered in the book for the control of soporific, enervating and narcotic drugs on separate pages giving the name of the product and the indication "SAMPLE FOR MEDICAL USE". Samples of narcotic, soporific and enervating drugs shall be supplied only to doctors who are duly registered with the General Directorate of Public Health, and not more than two samples of each product shall be supplied in any one month. The number of samples distributed to each doctor and the date of its supply shall also be recorded.

Article 15. The pharmacist in charge of a particular establishment shall be directly and solely responsible for the management of the cabinet or store for narcotic, soporific and enervating drugs and shall therefore have sole authority to open the said store and to control the movement of medicaments into and out of the said cabinet.

Article 16. The quarterly returns concerning the movement of drugs referred to in article 24 of Act No. 23 of 1954 shall be signed by the pharmacist in charge. In addition to these returns, there shall be submitted a statement of the orders received and prescriptions dispensed during the three-month period in question.

The forms for these returns shall be supplied by the General Directorate of Public Health.

Article 17. It shall be unlawful for pharmaceutical establishments to exchange or lend enervating, narcotic or soporific drugs without the prior authorization of the General Directorate of Public Health.

Article 18. The General Directorate of Public Health shall send periodically to the Agencies a complete list of the pharmaceutical establishments authorized to acquire soporific, narcotic and enervating drugs, with the names of any new establishments set up, of establishments whose licences have been withdrawn and of those whose right to manipulate or issue these substances has been suspended.

In addition, it shall send to all pharmacies a list of the doctors duly registered with the General Directorate of Public Health, indicating their registration numbers. As new doctors register their qualifications, the General Directorate of Public Health shall inform the pharmacies accordingly.

The information referred to in the previous paragraph is intended for the exclusive use of pharmacies and hence shall not be disclosed to the public.

The General Directorate of Public Health shall also communicate to pharmaceutical establishments a list of the soporific, narcotic and enervating drugs, and of proprietary medicaments containing such drugs, which are to be dispensed on production of the special medical prescription mentioned in article 3 of this Decree.

Article 19. The unrestricted dispensing of barbiturates is strictly prohibited. These products may be dispensed only on production of the regular medical prescription.

Pharmaceutical establishments shall keep the prescriptions of barbiturates dispensed by them; these prescriptions shall be produced to the Inspector of the Food, Drugs and Pharmacy Directorate upon his request.

Camphorated tincture of opium (paregoric elixir) may be dispensed without restriction in quantities up to one ounce. Any larger quantity shall require a prescription by a doctor licensed to practise.

Article 20. Chemical pharmaceutical laboratories which use narcotic, soporific or enervating drugs for their preparations shall, when acting as direct importers, comply with the requirements laid down for stock-holding agents and druggists; they shall, in addition, comply with the other requirements concerning control books, quarterly returns and buying orders.

Article 21. Where a person suffers from an incurable disease requiring the permanent use of soporific, narcotic or enervating drugs, the doctor attending the patient shall report the case to the General Directorate of Public Health, which shall study the case and establish an "open" file; the pharmacy designated by the patient shall be authorized to supply the drug in question in the form agreed by the doctor himself with the General Directorate of Public Health.