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ENGLISH AND SPANISH ONLY

LAWS AND REGULATIONS

Original: SPANISH

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

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.

COSTA RICA

Communicated by the Government of Costa Rica

NOTE BY THE SECRETARIAT

(a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [ ] have been added or changed by the Secretariat.

(b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

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V.88-24358

E/NL.1985/83

DECREE No. 8361-SPPS

The President of the Republic and the Minister of Health,

Exercising the authority conferred on them under article 140, paragraph 3, of the Political Constitution, and acting in accordance with articles 125 et seq. of the General Law on Health, and articles 18 et seq. of the Organic Law of the Ministry of Health,

Decree the following:

REGULATIONS OF THE NARCOTIC DRUGS CONTROL BOARD AND THE DEPARTMENT OF NARCOTIC DRUGS, AND FOR THE CONTROL OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

Chapter I

Definitions

Article 1. For legal and regulatory purposes, the following definitions are established:

Board: The Narcotic Drugs Control Board.

Coca or coca bush: Plant of any species of the genus Erythroxilon.

Department: The Department of Narcotic Drugs of the Ministry.

Factory or laboratory: All the processes, other than production, that make it possible to obtain narcotic drugs or psychotropic substances or the preparations that contain them.

Hemp or marijuana: Any part of the plant of the genus Cannabis.

Import and export: In the appropriate sense, the physical transport of a narcotic drug or psychotropic substance from another country to Costa Rica and vice versa.

Import or export permits: In the appropriate sense, the document issued by the Board and authorizing the physical transport of substances or preparations that contain narcotic drugs or psychotropic substances from another country to Costa Rica and vice versa.

Manager or managing pharmacist: A professional responsible for the operation of a pharmaceutical establishment in accordance with the law.

Ministry: The Ministry of Health.

Narcotic drugs or narcotics: Any of the natural or synthetic substances covered in the Single Convention of 1961, as amended in 1972, or in any other convention that may replace it, and all such substances as the Ministry may designate as such.

Official prescription: A prescription contained in the official prescription block supplied by the Ministry for the prescription of drugs and medicines whose use is restricted. It shall be printed in accordance with the rules and instructions administratively issued by the Board.

Opium: The coagulated juice of the poppy.

Pharmacy or pharmaceutical establishment: An authorized establishment engaged in the preparation of prescriptions and in the sale and direct supply of medicines to the public.

Plantings: The cultivation of the poppy, the coca bush, the cannabis plant or any other plant whose use is prohibited or restricted.

Preparation: A mixture or solution in any physical state containing one or more narcotic drugs or psychotropic substances.

Prescription: A physician's direction for the composition and use of a medicine.

Prescription blank: The medical prescription contained in a doctor's personal prescription block. It must be white in colour and have printed on it the complete name of the physician, his telephone number and address, and his area of specialization, where applicable.

Psychotropic substance: Any substance, natural or synthetic, or natural material covered in the Convention on Psychotropic Substances done in Vienna in 1971, or in another convention that may replace it, and all such substances as the Ministry may designate as such.

Traffic or illicit traffic: The cultivation, manufacture or possession of, or any trafficking in, narcotic drugs or psychotropic substances contrary to the provisions of the law and of these Regulations.

Chapter II

The Narcotic Drugs Control Board

Article 2. The import, export, transit through the national territory, purchase, sale, distribution, donation and storage of, and any kind of transaction or agreement regarding, narcotic drugs, psychotropic substances and the preparations that contain them are the responsibility of the Government of the Republic.

Article 3. The activities and actions referred to in the preceding article shall fall within the competence of the Ministry, which shall exercise that competence through the Narcotic Drugs Control Board and the Department of Narcotic Drugs, whereby the latter shall act as the implementing agency of the former.

Article 4. The Board shall consist of the Director-General for Health, who shall preside over it; one representative of the Association of Pharmacists; and one representative of the Association of Physicians and Surgeons. The representatives of the Associations shall serve terms of two years and may be selected for as many as two consecutive terms. The Board's administrative functions shall be carried out by the Department, the head of which shall function as its Secretary.

Article 5. The Board shall have its headquarters and legal domicile in the Ministry and shall be required to meet at least four times a month. A Records Book shall be kept, in which the agreements are to be recorded, it not being necessary to note the deliberations unless this is specifically requested by an interested party. The Secretary shall be responsible for, and the custodian of, the Records Book, which shall be confidential in character.

By way of exception, the Board shall meet whenever this is necessary in order properly to perform its functions or deal with important matters.

Article 6. The Board members and the Secretary shall receive the monthly fees established in the Ministry's budget; however, they may not be paid for more than six meetings a month.

Article 7. With the exception of the Director-General for Health, Board members automatically forfeit their membership if they fail to attend four meetings, whether alternating or consecutive, without good cause, or ten meetings with good cause or because of a declared incapacity. Failure to attend shall be accepted only for reasons of illness or absence from the country.

Article 8. The Board shall arrive at its decisions by a simple majority, the presence of two of its members being required to form a quorum.

Article 9. The Board's decisions shall become final with the approval of the respective record, except when, because of the urgency of the matter, immediate approval is agreed.

Article 10. The State authorities, the autonomous or semi-autonomous institutions, and the municipalities shall be required, under the law, to co-operate with the Board or with its inspectors in a timely and effective way in the conduct of its investigations, and also to provide facilities of every kind so as to assist the Board and the Department in their campaigns and programmes.

Article 11. The Board shall enjoy technical independence in its operations. Nevertheless, its decisions shall be subject to appeal to the head of the Ministry in accordance with the terms and procedures laid down in article 49 et seq. of the Organic Law of the Ministry, where applicable.

Article 12. The Board's decisions shall be carried out by its Secretary, through the Department.

Article 13. The functions of the Chairman of the Board are:

(a) To preside over the meetings;

(b) To read the correspondence;

(c) At the request of the Department and when the urgency of the situation warrants it, to act on his own in adopting decisions, which must then be brought to the knowledge of the Board at the very next meeting.

Article 14. The functions of the Secretary of the Board are:

(a) To convene the meetings;

(b) To read the minutes of the previous meeting and submit them for approval;

(c) To render an account of the Board's work to the Ministry by means of an annual report;

(d) To submit to the Ministry, with the approval of the Board, the draft annual budget covering the activities and programmes for which the Board is responsible;

(e) To draft and attend to the correspondence;

(f) To carry out any other work proper to his position as required of him by the Board or its Chairman;

(g) To maintain a file of the Board's documents at the Department of Narcotic Drugs.

Chapter III

The Department of Narcotic Drugs

Article 15. In addition to its responsibility for the functions assigned to it under these Regulations, the Department shall act as the implementing agency of the Board. Further, it shall see to it that the Government of the Republic complies with its commitments in this area under the international treaties and agreements to which it is a party.

Article 16. In the administrative area, the Department shall, for all purposes, be part of the Division of Medical Services.

Article 17. The Head of the Department must be a pharmacist and a member in good standing of the corresponding Association. He shall be required to insure his performance through a fidelity bond for an amount to be set by the Ministry.

Article 18. In addition, the Department shall have at its disposal an adequate number of pharmaceutical inspectors. These inspectors, who are also to be members in good standing of the corresponding Association, shall carry out the required inspections at pharmacies, laboratories and import houses. The Department shall also have at its disposal the necessary specialized technical personnel to deal with the problems occasioned by drug addiction, in all fields.

Chapter IV

The sale of narcotic drugs and psychotropic substances

Article 19. For the purchase, at the Department, of narcotic drugs and psychotropic substances, it is required that the pharmaceutical establishment that is to receive the product must be properly registered with and authorized by the Association of Pharmacists.

Article 20. The purchase request shall be made on the proper stamped paper and must be signed by the manager of the establishment in question.

Article 21. First purchases shall require the prior authorization of the Board, which shall give it when, in its judgement, the establishment in question satisfies all the legal and regulatory requirements.

Article 22. The Board shall authorize the sale in accordance with the following scale, on the basis of the patent amount:

0.20 grams of each of the substances	for each 1.00 colón of patent
3 cubic centimetres of tincture of opium	for each 1.00 colón of patent
1 ampoule of each class	for each 2.00 colones of patent
1 tablet of each class	for each 1.00 colón of patent
1 litre of paregoric (camphorated tincture of opium)	for each 5.00 colones of patent

Article 23. In subsequent applications, the buyer shall present the prescriptions in order to justify his application within a maximum time-limit of three months from the date of issue. After this time, the prescriptions shall be accepted in order to demonstrate the propriety of his operations, but not for the purpose of making a new purchase.

Article 24. The Department shall refuse to process an application or to deliver the articles requested when it detects alterations in the prescriptions or in the other documents submitted such as to cause it to doubt the authenticity, quality or quantity of the articles listed therein.

Article 25. The Department shall issue a payment slip for the quantities authorized, and the interested party shall use this slip to pay the sum indicated at the Treasury Office of the Ministry. Upon presentation of a receipt, the Department shall furnish the drugs purchased.

Article 26. The Treasury Office shall accept the payment slip, provided that it has been properly filled out and bears the signature of the Department Head and a stamp indicating the corresponding payment date. The payment slip shall lapse within 24 hours of that date, but may be revalidated by having it restamped by the Department.

Article 27. When a pharmaceutical establishment authorized to handle narcotic drugs and psychotropic substances is closed, shut down or merged with another, the manager shall be required to inform the Board of the liquidation of his drug inventory. In the event there is a balance, the Board must recover it, reimbursing the establishment for its value.

Article 28. Under such conditions as the Board itself may determine, the Board shall authorize the Department to sell moderate quantities of narcotic drugs and psychotropic substances to centres of higher education to be used solely for the purpose of scientific research.

Aritlce 29. The sale of narcotic drugs to factories for the manufacture of trade-name medicines shall be limited to the minimum quantities required to manufacture these medicines. In the corresponding application the interested party must indicate:

(a) The name of the medicine and its registration number, the desired quantity to be manufactured, and the current balance in stock;

(b) The quantity of the product that it is desired to obtain.

Article 30. In order that the aforementioned application may be processed, the interested party must send to the Department the part of the material required for manufacturing the medicine, and the Department shall add the narcotic drug purchased for this purpose.

Article 31. The Department shall maintain records covering its sales and indicating the name (or firm name) and address of the buyers.

Article 32. The Department shall submit to the Board, with copies to the General Audit Office of the Ministry, daily, weekly and monthly reports covering the activity referred to in the preceding article.

Article 33. Following consultation with the Board, the Department shall indicate in its draft budget the quantities to be purchased, as required to satisfy national consumption and maintain the necessary reserves. It shall draw attention at the proper time to the international estimates required in order that these purchases may be made. Further, in addition to the estimated requirements for narcotic drugs, it shall prepare sufficiently in advance the evaluations and reports required under the international treaties that regulate the area of narcotic drugs and have been signed by the Government of the Republic.

Article 34. Drug purchases by the Board shall be governed by the laws and provisions regulating this area.

Article 35. The sale prices of narcotic drugs shall be calculated with a surcharge of 30 per cent over their costs, including the basic value, transport charges, administration fees and customs duties as indicated in the tariff schedule, where applicable.

Article 36. The Department shall prepare and sell paregoric to pharmaceutical establishments and laboratories without the need for authorization by the Board. Such authorization, however, shall be required for the sale of opium to be used in the manuacture of Dovar.

Article 37. The Board shall conduct an inventory of the Department's stocks at least once every quarter, without prejudice to its right to do so whenever it deems it necessary.

Chapter V

Prescriptions and doses

Article 38. The sale or supply to the public of addictive narcotic drugs and psychotropic substances is prohibited. Similarly prohibited is the personal use of these substances, except under a medical prescription and for therapeutic purposes or with the express authorization of the Ministry.

Only physicians, dentists and veterinarians, in the legal performance of their professional duties, may prescribe and supply such products, subject to the requirements stipulated in the law and in these Regulations.

Article 39. For the purposes of the preceding article, the associations of physicians, dentists and veterinarians shall send to the Department the list of those professional practitioners in each branch who are authorized to prescribe the products in question.

Article 40. Each month the Association of Pharmacists shall send to the Department a list of the pharmaceutical establishments authorized to handle narcotic drugs and psychotropic substances, together with a list of their managers.

Article 41. In order that they mey handle or prescribe narcotic drugs and psychotropic substances, the medical, dental, veterinary and pharmaceutical professionals must have previously deposited their signatures with the Department, which shall maintain up-to-date records for the purpose of verification.

Article 42. Narcotic drugs and psychotropic substances may only be prescribed and supplied on the basis of official prescriptions. To this end, the Board shall furnish authorized professionals with the proper prescription blocks at cost price. At the administrative level, the Board may take whatever measures it deems necessary in order to ensure the most effective control over the use of these prescription blocks. The professional receiving an official prescription block is personally responsible for the use to which it is put. In the event it is mislaid or stolen, the professional must immediately notify the Department of the loss in order that it may take the appropriate steps.

Article 43. An official prescription must meet the following conditions:

(a) It must be clearly worded and contain precise instructions as to how it is to be filled.

(b) The use of abbreviations is not permitted.

(c) Dosage indications must be written out in letters and numbers.

(d) In all cases, the prescription must refer to a specific patient.

(e) It must be written in the handwriting of the prescribing practitioner, using ink or a ball-point pen.

(f) It must bear a date of issue and indicate the complete name of the patient, his identity card number, his place of residence and his age, as well as the physician's official code.

Article 44. The maximum 72-hour therapeutic doses shall be the following:

Pure cocaine or its salts	0.45 g.
Pure codeine or its salts	0.90 g.
Pure morphine or its salts	0.24 g.
Dionine	0.45 g.
Eucodal	0.30 g.
Opium powder	1.50 g.
Opium extract	0.75 g.
Opium tincture, 10%	15 ml.
Tablets	10 tablets
Ampoules	6 ampoules
Paregoric	

Codeine may be prescribed on a prescription blank in doses of up to 0.50 g.

Article 45. The provisions of the preceding article notwithstanding, physicians may, with the authorization of the Board, prescribe doses greater than those indicated in the article in cases involving the alleviation of illnesses or injuries that produce acute and prolonged discomfort or pain. To this end, the case physician shall be required to submit a written request to the Board, indicating the following:

(a) The name of the patient, his identity card number, and his exact place of residence;

(b) The diagnosis; and

(c) The physician's name, official code and signature, and the date.

Article 46. If the Board authorizes it, the Department shall issue a special official prescription block in the patient's name. In this case, a maximum of six ampoules may be prescribed on each prescription; however, it shall continue to be a matter of the physician's discretion and responsibility to determine the number of prescriptions issued on a daily basis.

Once the purpose of the prescription block has been fulfilled, the physician shall be required to return it immediately to the Department under his own responsibility.

Article 47. The managing pharmacist shall reject prescriptions that do not comply with the aforementioned provisions. A pharmacist who fills a prescription that is not in compliance with the conditions stipulated above, and the physician who has issued it, shall be subject to the penalties provided for under the law.

Article 48. Prescriptions calling for narcotic drugs or psychotropic substances must be held by the pharmacy, stamped and numbered in accordance with the prescription register. Further, within three months of their date of issue, they must be submitted to the Department for replacement and control.

Article 49. The Department shall prepare monthly and trimonthly consumption reports, sending authorized copies of the same to persons or institutions as it sees fit. It shall also prepare control cards for patients and physicians.

Article 50. Where there is reason to suspect an addition, falsification, overdose or similar problem, the Department shall submit the case to the Board so that the latter may resolve it in the appropriate manner.

Chapter VI

Import, export and international traffic

Article 51. The import to, export from, and transit through the Republic of narcotic drugs and psychotropic substances may be carried out only by the Department.

To this end, the Department shall prepare a study of the country's requirements, shall perform an international evaluation in sufficient time to facilitate the import of the drugs, and shall make the necessary provision in the draft budget for these purchases.

Article 52. A prior import or export certificate shall be required, as appropriate, for each lot of merchandise. It shall be the responsibility of the Board to issue the appropriate certificate.

Article 53. The import or export certificate or permit shall indicate in each case and for each pharmaceutical product the following:

(a) The name of the medicine and of the narcotic drug it contains;

(b) The common international designation, if one exists;

(c) The quantity to be imported or exported;

(d) The name and address of the importer and exporter;

(e) The period within which the import or export transaction is to take place;

(f) In the case of an export authorization, the number and date of the import certificate and the identity of the issuing authority.

Article 54. The quantities stated in the permit may not be changed, nor may there be any substitutions in respect of the volume, the presentation or the number.

Each shipment must be accompanied by a copy of the export permit.

Article 55. The provisions of the preceding articles notwithstanding, medicines containing narcotic drugs whose preparations are freely sold or whose formulae have been declared exempt by the international organizations may be imported, following authorization by the Board.

Nevertheless, the sale and use of these products shall require the authorization of the Department.

Once the products to which this article refers have been released from customs, the Department shall remit to the Government of the exporting country the properly annotated export permits, indicating the quantity actually imported.

Article 56. In all import operations and in the documentation relating thereto there must be clearly indicated the name and address of the authorized consignee. Accordingly, it is prohibited to indicate merely a post box number, a general delivery address or any other ambiguous address.

Article 57. It is absolutely prohibited to import, in any form, medical samples of medicines that contain narcotic drugs or psychotropic substances.

Article 58. Any merchandise that contains narcotic drugs or psychotropic substances and that has been imported without the prior permission of the Board, as well as any merchandise that is at variance with what is stated in the corresponding certificate or fails to comply with the provisions of these Regulations, shall be confiscated.

Article 59. The confiscated merchandise shall be destroyed or turned over to State facilities, as ordered by the Board.

Article 60. At the request of the legitimate interested party, the Board may authorize the export of medicines containing narcotic drugs under such conditions as the Board itself may lay down.

Chapter VII

The control of pharmaceutical establishments and industrial laboratories and other measures

Article 61. The Department shall have at its disposal the pharmaceutical inspectors necessary in order to exercise adequate control over the pharmaceutical establishments and industrial laboratories.

Article 62. The Department shall carry out periodic inspections at each establishment authorized to handle narcotic drugs and psychotropic substances. At the time of each visit an inventory check shall be made, using the forms that the Department shall have available for this purpose.

Article 63. The pharmaceutical inspector is not authorized to collect drugs or prescriptions from the pharmaceutical establishments, but is required to verify and take note of the three-month time-limit for the expiration of the prescriptions.

Article 64. The managing pharmacists are required to show the Department's pharmaceutical inspector all the documentation and stocks to enable him to carry out an accurate control of the drugs.

Article 65. It is the obligation of the owner or the person in charge of the establishment to grant access to the pharmaceutical inspector, once he has properly identified himself, in order that he may perform his duties.

Article 66. The pharmaceutical inspector may remove the medicines he deems necessary for more effective control. The inspector shall issue a temporary receipt to cover such items as he may remove, with the final receipt to be issued at a later date by the Department.

Article 67. The pharmaceutical inspector shall leave a copy, duly signed by himself, of the inventory inspection carried out at the pharmaceutical establishment. At the same time, the copy to be forwarded to the Department must be signed by the manager as an indication of his agreement. In the event the manager is not present, this fact must be noted in a document to be signed by the inspector and one of the employees. If this absence is repeated on three visits during the same month, the establishment may be shut down.

Article 68. The industrial establishments shall provide the pharmaceutical inspector with the facilities he requires to carry out the inspection and inventory.

Article 69. Both the national laboratories and import houses shall, at the request of the Department, send an original sample of each of the manufactured or imported products traded in the national market and containing narcotic drugs or psychotropic substances.

Article 70. When there is a need to import hemp seed for use as birdfeed, a certificate attesting to the non-germinability of the seed must be presented for each lot. In addition, the invoice shall require the prior approval of the Department before the merchandise can be released from customs.

In the case of poppy seeds for use in bread-making, each invoice shall indicate the variety in question, in addition to which the prior approval of the Department shall be required for the release of the merchandise from customs.

Article 71. Illicit plantings of the aforementioned plants shall be destroyed by the authorities after the nature of the plantation has been determined.

Article 72. Before a plantation is destroyed, the authorities who are to carry out the operation must take a sample, of which they shall send one part to the Department and another to the Supreme Court of Justice in order to satisfy the relevant legal requirements.

In addition, the authorities shall be required to draw up a destruction report, indicating the zone, the growing area, the plant in question, the owner of the land if known, the estimated number of plants destroyed, and any other information thought to be of interest. A copy of this report must be sent to the Department in all cases.

Chapter VIII

Education, prevention, treatment and rehabilitation

Article 73. It shall be the responsibility of the Department, calling on whatever advice it deems necessary, to formulate the policy to be pursued within the national territory with respect to drug dependence. It shall also be its responsibility to formulate programmes of drug education, prevention, treatment and rehabilitation with the advice of the other Departments of the Ministry and in co-ordination with them.

Article 74. Any programme dealing with addictive drugs, whether these programmes are concerned with prevention, treatment or other aspects, must be authorized, prior to their implementation, by the Board. This provision pertains to both public and private agencies.

Article 75. The Ministry shall allocate to the Department the resources required and the personnel needed to carry out the activities referred to in the preceding article.

Article 76. The institutions authorized to carry out the programmes referred to in the preceding articles shall be required to submit quarterly reports to the Board on the results of these programmes. Anyone failing to comply with the preceding provisions shall be subject to the penalties provided for under the law, without prejudice to the possibility of ordering the discontinuance of the activities in question.

Article 77. The present Decree shall come into force upon publication.

Transitional provision. The Board shall have one month, from this date, to order the design or printing of the official prescription blocks to which these Regulations refer. During this period, the current prescription blocks, issued on the basis of past regulations and provisions, may be used.

Daniel Oduber Q.

Minister of Health
Dr. Herman Weinstok W.

E/NL.1985/84

Decree No. 11588-SPPS of 7 July 1980

The President of the Republic and the Minister of Health,

Exercising the authority conferred on them under article 140, paragraph 3, of the Political Constitution, and articles 2 and 130 of the General Law on Health, 1/ and

Considering:

1. That because, as demonstrated by studies, the product known as "Artane" is giving rise to problems, among them physical or psychological dependence, and

2. That the fact that this product is freely sold has increased its use, something that is undesirable,

Decree the following:

Article 1. The product "Artane" shall be sold only upon presentation of a psychotropic medical prescription.

1/ Note by the Secretariat: E/NL.1980/85.

Article 2. The present Decree shall come into force upon its publication.

Done at the Presidential Residence, San José, on the twenty-third of June of the year nineteen hundred and eighty.

Rodrigo Carazo Odio

Minister of Health
Carmelo Salvosa Chacón

E/NL.1985/85

Third Part

Circular No. 1

Decree No. 15865-S of 27 November 1984

The President of the Republic and the Minister of Health,

Exercising the authority conferred on them under article 140 of the Political Constitution and article 2 of the General Law on Health, and

Considering:

1. That in the "List of Errors" for Decree No. 15560-S of 31 July 1984, which List was published in the Gazette of 1 October 1984, the promulgation of regulations establishing the conditions governing the sale to the public of drugs of the "benzodiazepine" group was ordered, and

2. That there is an urgent need for such regulations in order to bring the trade in these drugs into harmony with the terms of the original Decree,

Decree the following:

Article 1. The sale to the public of drugs of the benzodiazepine group shall be permitted only at pharmacies properly authorized in accordance with the law and on presentation of a non-refillable medical prescription or using the prescription block for psychotropic substances.

Article 2. This non-refillable prescription must be issued in duplicate: an original and a carbon-paper copy. The copy shall remain at the establishment dispensing the drug, and the original shall be sent by the pharmacy to the Department of Drugs, Controls and Records of the Ministry of Health at the end of the calendar month during which the sale was made.

Article 3. Prescriptions for drugs of the benzodiazepine group must contain:

(a) The date of issue;

(b) The complete name of the physician issuing the prescription;

(c) The complete name (two surnames) of the patient;

(d) The patient's identity card number;

(e) The class of drug prescribed;

(f) The quantity prescribed, indicated in words and numbers;

(g) The dosage for a maximum of 30 days;

(h) The signature of the physician prescribing the drug.

Article 4. This psychotropic substance shall be included in the Control Book, which must be kept current.

Article 5. At the end of every calendar month, firms importing registered products containing drugs of the benzodiazepine group shall send to the Department a report on sales activity together with a copy of the invoices.

Article 6. The Department of Drugs, Controls and Records shall, in this way, maintain a cross-check on the prescriptions and sales of drugs of the benzodiazepine group so as to comply with the restrictions ordered in article 10 of Decree No. 15560-S of 31 July 1984.

Article 7. The present Decree shall come into force upon publication.

Done in the Office of the President of the Republic, San José, on the twenty-seventh day of November of the year nineteen hundred and eighty-four.

To be published. Luis Alberto Monge; Dr. Juan Jaramillo A., Minister of Health.

E/NL.1985/86

Circular No. 1 of 11 January 1985

The following decrees establish the legal control measures that shall apply to drugs of the benzodiazepine group.

Decree No. 15560-S

The President of the Republic and the Minister of Health,

Exercising the authority conferred on them under article 140 of the Political Constitution and article 2 of the General Law on Health, and

Considering:

1. That at meeting No. 941 of the United Nations Commission on Narcotic Drugs, held on 7 February 1984, it was agreed to include 33 drugs of the benzodiazepine group in the 1971 Convention on Psychotropic Substances, and

2. That it is essential to establish controls on the import, export and consumption of the drugs of the benzodiazepine group, with this task to be carried out by the competent department of the Ministry of Health,

Decree the following:

Article 1. The drugs of the benzodiazepine group, their salts and the preparations that contain them are declared substances of restricted use.

Article 2. In order to import, export, distribute or sell drugs of the benzodiazepine group in any form of presentation, interested parties must, in each case, request the appropriate permit from the Department of Narcotic Drugs of the Ministry of Health.

Article 3. The sale to the public of pyschotropic substances is permitted only at the establishments authorized in accordance with the law and upon presentation of an official medical prescription for psychotropic substances.

Article 4. The import and distribution of medical samples of products containing drugs of the benzodiazepine group and their salts is prohibited.

Article 5. Decree No. 5196-SPPS of 11 September 1975 is expressly rescinded along with any other provisions that are contrary to the present Decree.

Article 6. The present Decree shall come into force upon its publication.

Done in the Office of the President of the Republic, San José, on the thirty-first day of July of the year nineteen hundred and eighty-four.

Luis Alberto Monge

Minister of Health
Juan Jaramillo Antillón

E/NL.1985/87

Circular No. 2 of 22 January 1985

The following Decree establishes the controls on Buprenorfine (Tengesic).

Decree No. 15843-S

The President of the Republic and the Minister of Health,

Exercising the authority conferred on them under article 140 of the Political Constitution and article 2 of the General Law on Health, and

Considering:

1. That Buprenorfine is an opium-derived substance, that it behaves in a manner similar to morphine, and that it generates an abstinence syndrome, being also capable of causing dependence, something that has occurred frequently in recent days in our country,

2. That Buprenorfine and all the products that contain it (for example, Tengesic) must be regarded as subject to controlled sale, as especially recommended by the Costa Rican Oncology Association, which describes it as an excellent product that should continue to be available in our market, provided that it is sold only upon presentation of a special narcotic drugs prescription, and

3. That, accordingly, it is essential that the sale and marketing of Buprenorfine and the products that contain it should be controlled, with these controls to be implemented through the intervention of the Department of Drugs, Controls and Records of the Ministry of Health,

Decree the following:

Article 1. The use and sale of Buprenorfine and all the products that contain it are declared restricted, and all these products are classified as narcotic drugs.

Article 2. In order to import or sell these products, in any form, a permit shall be required from the Department of Drugs, Controls and Records of the Ministry of Health, which shall exercise control over their import, distribution and use.

Article 3. The sale to the public of these products shall be permitted only at the pharmacies authorized in accordance with the law and upon presentation of a narcotic drugs prescription, as required under the General Law on Health and the Regulations set forth in Decree No. 8361-SPPS of 5 April 1978.

Persons guilty of violating the provisions of the present Decree shall be subject to the penalties provided for in the aforementioned Law and Regulations.

Article 5. The present Decree shall come into force upon its publication.

Done in the Office of the President of the Republic, San José, on the fifteenth of November of the year nineteen hundred and eighty-four.

L.A. Monge

Minister of Health
Juan Jaramillo Antillón