



LAWS AND REGULATIONS

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

CHILE

Communicated by the Government of Chile

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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Ministry of Health
National Health Service
Chemical and Pharmaceutical Division.

E/NL.1979/18

RESOLUTION NO. 1324

Santiago, 3 October 1977

NOTING: Supreme Decree No. 137 of 1960: Regulations on Narcotic Drugs; 1/ Supreme Decree No. 4 of 1970: Regulations on Dependence-Producing Drugs, 2/ both issued by the Ministry of Health; and Resolution No. 7565 of 27 November 1972, issued by the Department of Health;

CONSIDERING: that it is necessary to maintain strict control over the use and destination of drugs covered by the said Regulations and Resolution in order to protect the health of the community and the individual; and that, furthermore, the supply of medical samples of such proprietary medicines is not justified in view of the low cost of the preparations and the fact that their properties are well known to the professionals authorized to prescribe them; and

BEARING IN MIND ALSO: the provisions in articles 9, 106 and 107 of the Health Code and the powers conferred on me by Act No. 10.383 and Decree-Law No. 94 of 1973, I hereby issue the following:

RESOLUTION:

HEREBY SUSPENDED, as of this date, is the supply of "medical samples", by manufacturing laboratories to physicians, dentists or any other professional or organization likely to request them in accordance with the existing regulations, of dependence-producing drugs and of narcotic drugs covered by Supreme Decrees Nos. 4 and 137 respectively, referred to in the preambular paragraphs above, and their commercial promotion at any level.

1/ Note by the Secretariat: E/NL.1960/111

2/ Note by the Secretariat: E/NL.1977/26

COPIES SHALL BE MADE of the present Resolution and shall be sent to the chemical and pharmaceutical production laboratories in Chile, the Chilean Medical Association, the Chilean Dental Association, the Chilean Association of Pharmaceutical Chemists, the Chamber of the Pharmaceutical Industry of Chile and the Regional Health Authorities of Chile.

NOTICE IS HEREBY GIVEN that failure to comply with this Resolution shall be punished in accordance with Book IX, Title III of the Health Code.

LET THIS BE noted, communicated and published in the Diario Oficial.

(Signed) Dr. Hector Concha Marambio

Ministry of Health
National Health Service
Chemical and Pharmaceutical Division.

E/NL.1979/19

Ref: Promulgation of Supreme
Decree No. 193/77 amending
Supreme Decree No. 137 of 1960:
Regulations on Narcotic Drugs

Circular No. 125

Santiago, 5 October 1977

I have pleasure in sending you a copy of Supreme Decree No. 193/77 amending Supreme Decree No. 137 of 1960: Regulations on Narcotic Drugs, 1/ published in the Diario Oficial No. 29,841 of 20 August 1977.

"Santiago, 13 July 1977

The following Decree has been issued this day:

No. 193. Noting: official communication No. 1,837 of 21 June 1977 from the Government Delegate to the National Health Service, and considering the need to bring the national health regulations on producing, importing, dispensing and distributing narcotic drugs into line with the international treaties signed by Chile, the provisions of article 106 of the Health Code and article 2 of the Regulations on Narcotic Drugs, Supreme Decree No. 137 of 1960, and Decree-Laws No. 1 of 1973, No. 525 of 1974, Nos. 575, 913 and 1,230 of 1975, and No. 1,317 of 1976:

I HEREBY DECREE:

1. That Decree No. 137 of 12 March 1960 is amended by the deletion from article 2 of sub-paragraph (t). Let this be recorded, noted and communicated.

Signed: Augusto Pinochet Ugarte, General of the Army, President of the Republic.
Fernando Matel Aibel, Brigadier General of the Air Force, Minister of Health.

The above is transmitted to you, with greetings, for information.

Edgardo Cruz Mena, Under-Secretary of Health."

2. Interpretation of Supreme Decree No. 193 issued by the Ministry of Health:

2.1. All pharmaceutical preparations made up of one or more medicinal substances and containing dihydrocodeinone, 3/ cocaine, morphine or any other narcotic drug referred to in sub-paragraphs (b), (f), (g), (i), (j), (m), (n) and (p) of the Regulations on Narcotic Drugs are regarded as being narcotic drugs.

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

- 2.2. Consequently their prescription and dispensing to the public must be carried out by means of an official prescription form.
- 2.3. As of this date, sales of the following pharmaceutical preparations to the public are on a different basis, an official prescription form being required instead of an ordinary doctor's prescription:

Diadicon compound syrup x 180 ml	Lab. Labomed
Coranormol Dico drops, vials x 10 ml	Lab. Benguerel
Tusitan syrup x 100 ml	Lab. Sanitas
Tusitan, vials, x 20 tablets	Lab. Sanitas
Kordinol, vials, x 20 tablets	Lab. Chile

- 2.4. The chemical and pharmaceutical production laboratories affected should ask immediately for the labels and stickers used for the proprietary medicines listed in the preceding paragraph to be changed so that their containers will indicate clearly that the product is a "narcotic drug", as stipulated in Supreme Decree No. 471/71, article 43.

3. Pharmaceutical chemists and technical managers in the pharmaceutical industry are urged to make a careful review of drugs that have been removed from the Health Register, to ascertain whether any of them contain the narcotic drugs listed in paragraph 1 of the present Circular, in which case the fact should be brought immediately to the notice of the Programme Support Department, Monjitas 665, Room 45. A grace period of 180 days is allowed for this purpose from the date of the present Circular.

Accept, Sirs, the assurances of my highest consideration.

(Signed) Dr. Hector Concha Marambio

Ministry of Health
National Health Service
Legal Sub-Department.

E/NL.1979/20

RESOLUTION NO. 1690

Santiago, 29 April 1977

NOTING: Order No. 2911 of 17 November 1976 issued by the Director of the Metropolitan Health Region, in which he brings to the attention of this Authority his concern about the problem created by the abuse of and illicit traffic in narcotic drugs, particularly dependence-producing drugs, proposes that the official prescription forms for narcotic drugs now in use should be amended to include data concerning the patient and the person prescribing the drug and that the professionals who prescribe and dispense drugs should be held responsible for the correctness of that information, and, to that end, transmits a draft of amendments to the existing regulations;

CONSIDERING: that a proposal to amend the regulations on narcotic drugs and dependence-producing drugs calls for a complete revision of the text of those regulations in order to bring them up to date and make them consistent with the international agreements adopted subsequent to the entry into force of the regulations;

CONSIDERING: that in view of the gravity of the problem and the urgent need to adopt greater precautions in prescribing and dispensing the drugs referred to, it is appropriate to draw up rules for tightening the control exercised through the official prescriptions or the prescription form by reiterating the need for, and requiring from the professionals concerned compliance with, the existing regulations and any others that are introduced by means of Resolutions;

CONSIDERING: that since the present stock of printed prescription booklets is sufficient to cover normal consumption for approximately two years, it is appropriate merely to introduce and apply rules covering the prescription and distribution or sale of the drugs subject to legal control and to ask the professionals concerned to provide entirely on their own responsibility the additional data which at a later date will be introduced into the new regulations now being studied, and

BEARING IN MIND: the provisions of article 72 of Act No. 10.383, paragraphs 9 (a) and (b), 106 and 107 of the Health Code; Narcotic Drugs Regulations and the Regulations on Dependence-Producing Drugs, I hereby issue the following:

RESOLUTION:

1. NOTICE IS HEREBY GIVEN that in prescribing and dispensing narcotics and dependence-producing drugs by means of the official prescription book or prescription forms used personally and exclusively by general medical practitioners (physicians) on the register of the Medical Association of Chile, and in using the official prescription forms available to pharmacies for emergency cases, the following instructions must be complied with, without prejudice to those contained in the relevant Regulations in so far as there is no contradiction between them:
 - 1.1. The prescription forms must be entirely filled out by the prescribing physician in longhand, in his own official prescription booklet or in that used in pharmacies for emergency cases, the prescription being written out clearly and completely. No empty space must be left in the lines intended for the prescription, such spaces being ruled across where necessary.
 - 1.2. Similarly, the physician filling out the prescription form must enter on the corresponding counterfoil the full name of the patient, the identity card number if possible, and the patient's address.
 - 1.3. On each prescription form only one product shall be prescribed, in the dose required for a single patient, and the quantities must be written without fail in both figures and words.
 - 1.4. When the prescription is for dependence-producing drugs covered by Decree No. 4 of 2 January 1970, the professional concerned shall indicate the daily dose prescribed and bear in mind that he may not prescribe a total quantity exceeding the amount for 30 days treatment, except for barbiturates when used to treat epilepsy, in which case the prescription must include mention of epilepsy.
 - 1.5. Since the prescription forms are provided officially by the National Health Service they are public documents, non-transferable, for the exclusive use of their legitimate owner. Hence the physician must keep the prescription book in a safe place. If it is lost or stolen he shall immediately inform the Regional Health Authority in whose area he is practising, and the Authority shall inform the Central Health Board (Pharmaceutical Division) and the Investigation Service, when necessary, without prejudice to the appropriate report being made to the police. The professional in question shall in addition give notice of the loss by an advertisement prominently displayed for three consecutive days in the newspaper with the largest circulation in the area, indicating the series and number of the missing prescription forms. Inclusion of the receipt for the payment of this newspaper notice shall be an essential requirement when applying for a new book of official prescription forms.
2. IT IS HEREBY ESTABLISHED that pharmaceutical chemists employed in pharmacies as Technical Managers in charge, Assistants, Acting Managers or Duty Officers are the only persons who may or should fill prescriptions for narcotic drugs, dependence-producing drugs or other products subject to special legal controls in the establishment concerned. To this end such persons shall comply with the following instructions:
 - 2.1. Prescriptions can be filled only on presentation of the identity card of the person wishing to obtain the narcotic drug, the dependence-producing drug or other products subject to control. The drug shall not be supplied if the applicant is below the age of 18.

- 2.2. The professional concerned shall check the prescription form carefully to ensure that it is correctly filled out in accordance with the relevant provisions of paragraph 1 of the present Resolution. If he notes any omissions he must return the prescription to the person concerned, after writing the appropriate comments on the back of the form above his signature, together with the date and affixing the stamp of the Pharmacy concerned.
- 2.3. If the prescription form does not give rise to any objection, the pharmaceutical chemist shall note in his own handwriting on the back of the form the full name of the recipient, the number of his identity card, his address and the name of the village or commune, and the name of the professional who authorized the supply of the drug, together with his number as a registered member of the Association of Pharmaceutical Chemists, the date, his signature and the stamp of the establishment concerned.
3. IT IS HEREBY REITERATED that the provisions laid down in the Narcotic Drugs Regulations, Decree No. 137 of 12 March 1960, 1/ and the Regulations on Dependence-Producing Drugs, Decree No. 4 of 2 January 1970, 2/ must be strictly complied with.
4. Violations of the provisions of the present Resolution shall be punished in accordance with the provisions of Book IX of the Health Code.
5. NOTIFICATION SHALL BE MADE to every pharmaceutical establishment in the various administrative areas by the Regional Pharmaceutical Advisory Boards of Chile, and copies of the present Resolution shall be sent to the Chilean Medical Association, the Chilean Association of Pharmaceutical Chemists, and the Chilean Dental Association for publication in their official publicity organs to ensure that the members of the respective associations are notified of and comply with the present Resolution.

LET THIS BE NOTED AND COMMUNICATED,

(Signed) Dr. Francisco Quesney Langlois,
Government Delegate in the
National Health Service