

SECTION 56 CLASS EXEMPTION FOR TRAVELLERS WHO ARE IMPORTING OR EXPORTING PRESCRIPTION DRUG PRODUCTS CONTAINING A NARCOTIC OR A CONTROLLED DRUG

Pursuant to section 56 of the *Controlled Drugs and Substances Act* (CDSA), individuals who are travelling into or out of Canada are exempted for medical purposes, subject to the conditions set out below, from the application of subsections 6(1) and 6(2) of the CDSA and sections 8 of the *Narcotic Control Regulations* (NCR) and G.02.001 of Part G, *Controlled Drugs, Food and Drug Regulations* (FDR) with respect to prescription drug products which contain a narcotic or a controlled drug.

In respect of this exemption,

Narcotic means any substance set out in the schedule or anything that contains any substance set out in the schedule to the *Narcotic Control Regulations* (NCR).

Controlled drug means a drug set out in the schedule to Part G of the *Food and Drug Regulations* and includes a preparation.

Prescription means an authorization given by a practitioner that a stated amount of a drug be dispensed for the person named in the prescription.

Practitioner means a person who is registered and entitled to practise the profession of medicine or dentistry.

A **single course of treatment** means the quantity of drug prescribed for the treatment of an acute condition. The length of the course of treatment may vary, depending on the prescriber's instructions, and may be less than 30 days.

This exemption gives authority to individuals who are travelling into or out of Canada and are carrying prescription drug products which contain a narcotic or controlled drug, to import, export, and possess for the purpose of export, such medications, subject to the terms and conditions of this exemption. This exemption does not apply to the importation or exportation of narcotic or controlled drugs for animals.

This exemption is only applicable if the following conditions are met:

- (1) The narcotic or controlled drug has been obtained under a prescription and is packaged in pharmacy or hospital dispensed packaging with the appropriate labelling;
- (2) The narcotic or controlled drug is in the possession of the individual at the time of entry or departure;
- (3) The individual is importing or exporting the narcotic or controlled drug for their own use

or for the use of a person for whom they are responsible and who is travelling with them, to meet the medical needs of the individual for which it has been prescribed;

- (4) The quantity of narcotic or controlled drug being imported or exported does not exceed the lesser of a single course of treatment OR a 30 day supply, based on the usual daily dose prescribed by the practitioner;
- (5) In the case of an export, the export will not contravene the laws and regulations of the country of destination ; and
- (6) In the case of an import, the narcotic or controlled drug is declared to a customs officer at the point of entry into Canada at the time of import.

Individuals are not permitted to send products containing a narcotic or controlled drug into or out of Canada by mail or courier. Other than as set out above, only dealers licensed under the NCR or the FDR can import or export a narcotic or controlled drug with appropriate permits.

This exemption does not apply to products containing substances listed in Annex I to this exemption, unless they have been approved by Health Canada for market in Canada under the FDR or approved for market in the country from which the product is being imported by the corresponding regulatory authority of that country.

This exemption will remain in effect until Regulations under the CDSA permitting the import and export of a specific narcotic or controlled drug by travellers come into force or this exemption is otherwise revised or revoked. Failure to comply with the terms and conditions of this class exemption may lead to enforcement action being taken by the Canadian Border Services Agency (CBSA).

If a person stays longer than 30 days, they will need to make arrangements to see a physician in Canada (narcotic or controlled drugs cannot be imported by mail).

Effective date: August 31, 2005

Original signed by Carole Bouchard

Director, Office of Controlled Substances, DSCS/HECS, for and on behalf of the Minister of Health

Substance	Chemical Name
Acetorphine , including its salts, derivatives and salts of derivatives	3- <i>O</i> -acetyltetrahydro-7- α -(1-hydroxy-1-methylbutyl)-6,14- <i>endoetheno</i> -oripavine
Acetyl-<i>alphamethylfentanyl</i> , including its salts, derivatives, and analogues and salts of derivatives and analogues	<i>N</i> -[1-(<i>alpha</i> -methylphenethyl)-4-piperidyl]acetanilide
<i>Alpha</i>-methylfentanyl , including its salts, derivatives, and analogues and salts of derivatives and analogues	<i>N</i> -[1-(<i>alpha</i> -methylphenethyl)-4-piperidyl]propionanilide
<i>Alpha</i>-methylthiofentanyl , including its salts, derivatives, and analogues and salts of derivatives and analogues	<i>N</i> -[1-[1-methyl-2-(2-thienyl)ethyl]-4-piperidyl]propionanilide
<i>Beta</i>-hydroxy-3-methylfentanyl , including its salts, derivatives, and analogues and salts of derivatives and analogues	<i>N</i> -[1-(<i>beta</i> -hydroxyphenethyl)-3-methyl-4-piperidyl]propionanilide
<i>Beta</i>-hydroxyfentanyl , including its salts, derivatives, and analogues and salts of derivatives and analogues	<i>N</i> -[1-(<i>beta</i> -hydroxyphenethyl)-4-piperidyl]propionanilide
Cannabis , its preparations, derivatives and similar synthetic preparations	
Desomorphine , including its salts, derivatives and salts of derivatives	dihydrodeoxymorphine
Etorphine , including its salts, derivatives and salts of derivatives	tetrahydro-7- <i>alpha</i> -(1-hydroxy-1-methylbutyl)-6,14- <i>endoetheno</i> -oripavine
Heroin , including its salts, derivatives and salts of derivatives	diacetylmorphine
Ketobemidone , including its intermediates, salts, derivatives and analogues and salts of intermediates, derivatives and analogues	4- <i>meta</i> -hydroxyphenyl-1-methyl-4-propionylpiperidine

Substance	Chemical Name
3-methylfentanyl, including its salts, derivatives, and analogues and salts of derivatives and analogues	<i>N</i> -(3-methyl-1-phenethyl-4-piperidyl)propionanilide; <i>cis-N</i> -[3-methyl-1-(2-phenylethyl)-4- piperidyl]propionanilide; <i>trans-N</i> -[3-methyl-1-(2- phenylethyl)-4-piperidyl]propionanilide
3-methylthiofentanyl, including its salts, derivatives, and analogues and salts of derivatives and analogues	<i>N</i> -(3-methyl-1-[2-(2-thienyl)ethyl]-4- piperidyl]propionanilide
<i>Para</i>-fluorofentanyl, including its salts, derivatives, and analogues and salts of derivatives and analogues	4'-fluoro- <i>N</i> -(1-phenethyl-4-piperidyl)propionanilide
Thiofentanyl, including its salts, derivatives, and analogues and salts of derivatives and analogues	<i>N</i> -[1-[2-(thienyl)ethyl]-4-piperidyl]propionanilide