

## Policy Statement Provision of Drug Samples by Pharmacists

The following outlines both provincial and federal requirements respecting the issue of drug sampling, including the provision of nonprescription medications:

- The SCP Standards of Practice states:  
*"Drug Samples:  
A Pharmacist shall not receive or offer any consideration or payment, monetary or otherwise, direct or indirect, for the receipt of drug samples."*
- The Food and Drug Act states:
  14. (1) *No person shall distribute or cause to be distributed any drug as a sample.*
  - (2) *Subsection (1) does not apply to the distribution, under prescribed conditions, of samples of drugs to physician, dentists, veterinary surgeons or pharmacists.*

However, the Food and Drugs Act and Regulations, are usually interpreted as NOT to interfere with provincial jurisdiction regarding the provision of professional regulations. Notwithstanding the federal prohibitions, the main issue is whether we define distributing samples as being within the scope of practice of the pharmacist. Finally, there is a distinction between samples as free goods solely for promotional purposes or as free goods for clinical evaluation.

The Council of the Saskatchewan College of Pharmacists is of the opinion that the unsolicited distribution of samples may encourage irrational and unnecessary drug use. However, Council sees merit in the use of trial size packaging as a clinical trial to determine the therapeutic effectiveness of drugs. The use of a trial size distributed by the pharmacist may contribute to the betterment of the health of the public. As with the Trial Prescription Program, the distribution of a free trial size may prove to be beneficial to the patient and the health care system in general.

Therefore, it is Council policy that:

- 1) Pharmacists may distribute a free trial size of nonprescription medication if;
  - The medication is listed in Schedule II & III or is an unscheduled product
  - The free trial size is used specifically for a clinical evaluation
  - The pharmacist, in consultation with the patient, determines the appropriateness of the medication
  - The pharmacist determines the quantity of a free trial size in order to provide sufficient treatment of the patient's symptoms to determine its effectiveness
  - The pharmacist must not provide such a supply of a free trial size as to provide full treatment of the patient's disorder
  - There is no opportunity for public self selection of any free trial size
- 2) Pharmacists are **not** permitted to receive Schedule I or Narcotic and Controlled Drug samples from physicians, sales persons, or other sources for distribution or sale to the public;
- 3) Pharmacists may accept any sample from a physician, sales persons or other sources, only for the purposes of destruction of said samples
- 4) Pharmacists cannot sell "free" samples of nonprescription medications
- 5) Pharmacists cannot accept samples from a physician, sales persons, or other sources for payment of goods and services from the pharmacy
- 6) Trial size medications cannot be promoted through the use of coupons or any other type of promotional activity. Free trial sizes must be distributed by a pharmacist.
- 7) The sale of trial size medication is permitted if such products have been sold to the pharmacy.