The New Brunswick College of Pharmacists thanks the Ontario College of Pharmacists (OCP) for permission to adapt their information sheet for use in New Brunswick.

FACT SHEET

Controlled Substances: Destruction of Unserviceable Stock and Post-Consumer Returns

A fact sheet is a plain-language explanation of the legislation that forms the foundation of certain pharmacy practices. It provides useful information and references to help pharmacy professionals understand a particular topic. A fact sheet is an informational resource and is not considered legal advice. Always refer to the legislation for full context.

> Questions about Health Canada's guidance documents or the *Controlled Substance Regulations* should be directed to the Compliance and Monitoring Division, Controlled Substances Directorate: hc.compliance-conformite.sc@canada.ca.

Legislative References

- *Controlled Drugs and Substances Act*, 1996 (CDSA)
  - *Controlled Substances Regulations* s110

Definitions

Controlled substance: A substance set out in Schedules I, II, III, IV, or Part 1 of V of the federal Controlled Drug and Substances Act. This resource specifically applies to the controlled substances named in Schedule 1 (narcotics), Schedule 2 (controlled drugs) and Schedule 3 (targeted substances) under the *Controlled Substances Regulations*.

Destroy: To alter or denature a controlled substance to such an extent that its consumption is rendered impossible or improbable. (CSR s1(1))

Order: A written or verbal request for a controlled substance. An order does not include a prescription. (CSR s1(1))

Licensed Dealer: The holder of a dealer's licence issued under subsection 12(1) of the *Controlled Substances Regulations* to destroy, produce, sell or provide, transport, send or deliver, and import or export a controlled substance. (CSR s1(1))

Post-consumer return: A controlled substance that has been returned to a pharmacy or hospital by an individual for the purpose of destruction. Does not include a controlled substance that has been returned from a patient care area to a hospital pharmacy.

Unserviceable stock: A controlled substance in a pharmacy's inventory that is unusable, expired and/or that cannot be dispensed. Does not include partial or unusable doses in patient care areas outside of a hospital pharmacy.

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Background

Controlled substances are regulated federally by Health Canada (HC) and the Office of Controlled Substances (OCS). The *Controlled Drugs and Substances Act* (CDSA) provides a legislative framework aimed at controlling access to substances that can alter mental processes and produce harm to the health of an individual and/or society when diverted or misused.

Pharmacists, pharmacy technicians and persons in charge of hospitals are obligated to secure unserviceable stock and post-consumer returns until they are destroyed or sent for destruction. Destruction should occur on a regular basis as any accumulation may increase diversion risk.

Controlled substances are to be stored and managed according to national and provincial requirements. Pharmacy Managers and persons in charge of hospitals are responsible for establishing a method for identifying products that are outdated or otherwise unsuitable for dispensing and their proper disposal.

There are two options for destruction of controlled substances:

1. **Send to a licensed dealer** (return to the one who sold the controlled substance, or send to a licensed dealer who specializes in destruction)
2. **Carry out local destruction** (i.e., on site)

Sending to a Licensed Dealer for Destruction

Controlled substances being delivered to a licensed dealer for destruction must be placed in a container that is:

- Sealed,
- Sufficiently marked for identification purposes, and
- Tamper-evident (i.e., cannot be opened without breaking the seal).

Unserviceable stock

A pharmacist or hospital may return unserviceable stock for destruction, after receiving a signed and dated written order from the licensed dealer containing the following information:

- Name, municipal address and, if applicable, title of the licensed dealer
- Name and address of the pharmacist's place of practice or hospital site
- The name, form, strength and quantity of the controlled substance
- A statement to the effect of providing the controlled substance for the purpose of destruction
- If applicable,
    - The drug identification number (DIN) and brand name
    - The number of containers and the number of units per container

Post-consumer returns

Post-consumer returns must be kept in a collection container that is:

- Sufficiently marked for identification purposes, and
- Kept in a secure location that only authorized persons can access.

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A pharmacist or hospital may send a post-consumer return for destruction back to the licensed dealer that sold it to them, or to a licensed dealer specializing in destruction after receiving a signed and dated written order from the licensed dealer containing the following information:

- Name, municipal address and, if applicable, title of the licensed dealer
- Name and address of the pharmacist's place of practice or hospital site
- The number of collection containers and the unique identifier marked on each container
- A statement that the controlled substance is being sent for the purpose of destruction

○ Post consumer returns for controlled substances and other health products *can* be sent together.
✘ Post consumer returns and unserviceable stock *cannot* be sent together.

Community pharmacies may enroll in the New Brunswick Pharmacists Association program that facilitates the sending of post-consumer returns to a licensed dealer specializing in destruction. The program is managed by the Health Products Stewardship Association (HPSA).

Pharmacists are responsible for maintaining all records pertaining to the destruction of these substances, even when employing an external provider to supply the service.

Local destruction

Local destruction must use a method that complies with all federal, provincial and municipal environmental protection legislation applicable to the pharmacy or hospital.

The College does not evaluate, review, or approve specific processes or methods that may be used to render controlled substances unusable.

The destroyed controlled substances must be placed in a suitable waste container for disposal in an appropriate manner (e.g., sent to a licensed waste management company).

Unserviceable stock - community pharmacy

The destruction of unserviceable stock may be carried out by a pharmacist or pharmacy technician and witnessed by:

- Another pharmacist or pharmacy technician
- A practitioner (physician, dentist, nurse practitioner, veterinarian, midwife, or podiatrist)
- Any other health professional

Immediately following the destruction, the pharmacy professional and the witness must sign and date a joint declaration attesting that the controlled substance was destroyed, and record the following additional information:

- Their names, clearly printed
- The municipal address of the pharmacy
- The method of destruction
- The name and quantity of the controlled substance and, if applicable,
  - The DIN and brand name
  - The number of containers and the number of units per container

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Unserviceable stock – hospital

The destruction of unserviceable stock may only be carried out by the person in charge of the hospital, a pharmacist, a pharmacy technician or a practitioner and witnessed by:

- A pharmacist or pharmacy technician
- A practitioner (physician, dentist, nurse practitioner, veterinarian, midwife, or podiatrist)
- Any other health professional
- The person in charge of the hospital

Immediately following the destruction, the pharmacy professional and the witness must sign and date a joint declaration attesting that the controlled substance was destroyed, and record the following additional information:

- Their names, clearly printed
- Municipal address of the hospital
- Method of destruction
- The name and quantity of the controlled substance, and if applicable, brand name

Post-consumer returns – community pharmacy and hospital

The destruction of post-consumer returns may be carried out by a pharmacist or pharmacy technician and witnessed by:

- Another pharmacist or pharmacy technician
- A practitioner (physician, dentist, nurse practitioner, veterinarian, midwife, or podiatrist)
- Any other health professional

Immediately following the destruction, the pharmacy professional and the witness must sign and date a joint declaration attesting that the controlled substance was destroyed, and record the following additional information:

- Their names, clearly printed
- The municipal address of the pharmacy
- The method of destruction
- The name and quantity of the controlled substance
- The number of collection containers and the unique identifier on each

For post-consumer returns, a container with a built-in denaturing agent may be used.

A witness is not required each time a substance is placed in the container.

Full containers should be sealed by a pharmacy professional in the presence of a witness and be disposed of with other pharmaceutical waste. The pharmacy professional and the witness must sign and date a joint declaration attesting that the controlled substance was destroyed.

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