

STATUTORY INSTRUMENTS

**2012 No. 1916**

**The Human Medicines Regulations 2012**

PART 12

Dealings with medicinal products

CHAPTER 3

Exemptions

*Exemptions relating to supply in specific circumstances*

**Emergency sale etc by pharmacist: at patient's request**

**225.**—(1) Regulation 214(1) does not apply to the sale or supply of a prescription only medicine by a person lawfully conducting a retail pharmacy business if conditions A to E are met.

(2) Condition A is that the pharmacist by or under whose supervision the prescription only medicine is to be sold or supplied has interviewed the person requesting it and is satisfied—

- (a) that there is an immediate need for the prescription only medicine to be sold or supplied and that it is impracticable in the circumstances to obtain a prescription without undue delay;
- (b) that treatment with the prescription only medicine has on a previous occasion been prescribed by a relevant prescriber for the person requesting it; and
- (c) as to the dose which in the circumstances it would be appropriate for that person to take.

(3) Condition B is that for a prescription only medicine shown in column 1 of the following table, the quantity of the product that is sold or supplied does not exceed that shown in column 2 for that prescription only medicine—

<i>Prescription only medicine</i>	<i>Maximum quantity</i>
A prescription only medicine that— (a) is a preparation of insulin, an aerosol for the relief of asthma, an ointment or cream, and (b) has been made up for sale in a package elsewhere than at the place of sale or supply.	The smallest pack that the pharmacist has available for sale or supply.
An oral contraceptive.	A quantity sufficient for a full treatment cycle.
An antibiotic for oral administration in liquid form.	The smallest quantity that will provide a full course of treatment.
A controlled drug within the meaning of Schedule 4 or 5 of the Misuse of Drugs Regulations 2001 or Schedule 4 or 5 of the Misuse of Drugs Regulations (Northern Ireland) 2002.	Five days' treatment.

<i>Prescription only medicine</i>	<i>Maximum quantity</i>
Any other prescription only medicine.	30 days' treatment.

- (4) Condition C is that the prescription only medicine—
- (a) does not consist of or contain a substance specified in Schedule 18; and
  - (b) is not a controlled drug, other than a prescription only medicine that—
    - (i) consists of or contains phenobarbital or phenobarbital sodium, and
    - (ii) is sold or supplied for use in the treatment of epilepsy.
- (5) Condition D is that an entry is made in the record kept under regulation 253 within the time specified in that regulation stating the particulars required under paragraph 4 of Schedule 23.
- (6) Condition E is that the inner or outer packaging of the prescription only medicine is labelled to show—
- (a) the date on which the prescription only medicine is sold or supplied;
  - (b) the name, quantity and (unless apparent from the name) the pharmaceutical strength of the prescription only medicine;
  - (c) the name of the person requesting the prescription only medicine;
  - (d) the name and address of the registered pharmacy from which the prescription only medicine is sold or supplied; and
  - (e) the words “Emergency Supply”.
- (7) In this regulation “aerosol” means a product that is dispersed from its container by a propellant gas or liquid.