



**The Hon Roger Cook MLA
Deputy Premier
Minister for Health; Mental Health**

Our Ref: 60-20542
Your Ref: A786275

Hon Aaron Stonehouse MLC
Chair
Select Committee on Personal Choice and Community Safety
Legislative Council Committee Office
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Stonehouse

Aaron,

Thank you for your letter of 28 October 2019 regarding the Inquiry into Personal Choice and Community Safety.

You have requested information on the manufacture or supply of nicotine as a Schedule 4 medicine. The answers to your specific questions are as below.

1. Has any such "appropriate licence" ever been granted in relation to nicotine?

Pharmacy businesses are licensed under the *Pharmacy Act 2010*. Under section 9 (2) of the *Medicines and Poisons Act 2014*, the supply of medicine at a pharmacy business is to be taken to be supply by the pharmacist with overall responsibility for the registered pharmacy. A separate licence is not required under this Act by a pharmacy to supply a Schedule 4 medicine, and therefore, no specific licence has been issued by the Department of Health (DOH) to a pharmacy to supply nicotine when included in Schedule 4.

2. Has any pharmacist ever utilised their "professional authority" to compound nicotine?

Registered pharmacies are not required to provide records of Schedule 4 medicines supplied, including compounded medicines, except as part of investigation and enforcement provisions. For this reason, the DOH does not have routine access to individual patient records on the supply of these medicines by pharmacies. I am therefore unable to advise if any pharmacist in Western Australia has used their professional authority to supply nicotine as a Schedule 4 medicine.

3. How is it possible for a person to obtain nicotine in Western Australia under Schedule 4 (other than by importing it under the Personal Importation Scheme)?

To obtain a nicotine product in Schedule 4, other than by personal importation, a person in Western Australia would be required to present a valid prescription to a registered pharmacist, who could compound a product in accordance with the medical practitioner's instructions. This prescription would be valid at any pharmacy throughout Australia. The pharmacist, in compounding this medicine, would need to comply with standards issued by the Pharmacy Board of Australia and any relevant parts of the Commonwealth's Therapeutic Goods Legislation.

I trust that this information is of assistance.

Yours sincerely



HON ROGER COOK MLA
DEPUTY PREMIER
MINISTER FOR HEALTH; MENTAL HEALTH

14 NOV 2019