MEDSAFE
NEW ZEALAND MEDICINES AND MEDICAL DEVICES SAFETY AUTHORITY
A BUSINESS UNIT OF THE MINISTRY OF HEALTH

Medicines in Schedule 1 to the Medicine Regulations 1984 that reference the manufacturer's original pack

Information paper for the Medicines Classification Committee

Medsafe
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MINISTRY OF HEALTH
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New Zealand Government

1. Purpose

The Medicines Classification Committee (MCC) requested that Medsafe write a paper summarising all medicines in Schedule 1 to the Medicine Regulations 1984 that reference the manufacturer's original pack and the Committee deliberations behind each reference. This information paper presents the list of medicines in Appendix 1.

2. Background

At the 55th meeting on 3 May 2016, the Pharmaceutical Society of New Zealand (the Society) made a submission to change the classification wording of lansoprazole, promethazine, sumatriptan, ibuprofen, omeprazole, pantoprazole, opium, pholcodine and ranitidine to remove the references that only approved or manufacturer's original packs may be supplied as restricted or pharmacy-only medicines.

At the 55th meeting the MCC recommended that the submission required further consideration. The MCC deferred making a decision until further information is provided on how the Society would address information requirements and how the Society would address keeping labels up to date as new information on adverse effects to a medicine is published internationally.

The minutes of the 55th meeting (item 6.5) are available in the Medsafe website.

At the 58th meeting on 16 May 2017, a pharmacist proposed two amendments to the prescription medicine classification of sildenafil, to remove the requirement that it must be supplied in a manufacturer's original pack and to amend the age limit from 35-70 years to 25-70 years.

At the 58th meeting the MCC recommended that there should be no change to the classification of sildenafil and that Medsafe should write a paper summarising all medicines in Schedule 1 of the Medicine Regulations 1984 that reference the manufacturer's original pack and the Committee deliberations behind each reference.

The minutes of the 58th meeting (item 5.6.3) are available on the Medsafe website.

3. Summary of the medicines

The list of medicines in Schedule 1 to the Medicine Regulations 1984 that reference the manufacturer's original pack and the Committee deliberations behind each reference is attached in Appendix 1.

There are 45 medicines in total. The wording used in each classification statement is variable and the following terms are used:

- when sold in the manufacturer's original pack containing …
- when sold in the manufacturer's original pack labelled …
- have received the consent of the Minister or the Director-General to their distribution as [restricted / general sale] medicines, when sold in the manufacturer's original pack

- when sold in a pack approved by the Minister or the Director-General for distribution as a [pharmacy-only / general sale] medicine
- when sold in packs approved by the Minister or the Director-General for distribution as [restricted / pharmacy-only / general sale] medicines
- when sold in a pack containing … approved by the Minister or the Director-General for distribution as a [restricted / general sale] medicine
- when sold in a pack containing … that has received the consent of the Minister or the Director-General to its sale as a [restricted] medicine
- when sold in the manufacturer's original pack that has received the consent of the Minister or Director-General to their distribution as medicines
- the medicine has received the consent of the Minister or the Director-General to its distribution as a [pharmacy-only] medicine.

In this paper the wording 'manufacturer's original pack' refers to all of the above variations.

For some medicines, the MCC deliberations in the minutes explain the intent for the wording 'manufacturer's original pack' in the classification statement. A reclassification was recommended because specific information (eg, warning statements and written information a patient could refer back to) would be added to the manufacturer's original pack. These medicines and the intent of the MCC are shown in Table 1 below.

Table 1: List of medicines that have the intent of the MCC explained in the minutes

Name of medicine	Extract from the Committee deliberations (minutes)
Alclometasone	Although some Committee members were doubtful about the reclassification it was agreed that New Zealand should adopt the harmonised position provided pack warnings were included against use: • on the face • for children • for psoriasis. In order for these warnings to be enforceable the products would need to be sold only in packs approved specifically for sale as restricted medicines. Required warnings would be included in Part I of The New Zealand Regulatory Guidelines for Medicines. The Guidelines would also specify a maximum pack size of 30 grams.
Cimetidine	Dr Martindale added that all companies involved with these medicines now appeared to be in favour of having an over-the-counter presentation of their product. She stressed the importance of there being an over-the-counter pack containing all the appropriate patient information in plain language, rather than having prescription packs broken down to suitable size by a pharmacist…. The Committee considered and discussed the information presented by the companies and professional bodies and agreed it was in favour of proceeding with the proposed reclassification provided the medicines could be presented in approved over-the-counter packs.
Clobetasone	Although some Committee members were doubtful about the reclassification it was agreed that New Zealand should

	adopt the harmonised position provided pack warnings were included against use: • on the face • for children • for psoriasis. In order for these warnings to be enforceable the products would need to be sold only in packs approved specifically for sale as restricted medicines. Required warnings would be included in Part I of The New Zealand Regulatory Guidelines for Medicines. The Guidelines would also specify a maximum pack size of 30 grams.
Famotidine	Dr Martindale added that all companies involved with these medicines now appeared to be in favour of having an over-the-counter presentation of their product. She stressed the importance of there being an over-the-counter pack containing all the appropriate patient information in plain language, rather than having prescription packs broken down to suitable size by a pharmacist…. The Committee considered and discussed the information presented by the companies and professional bodies and agreed it was in favour of proceeding with the proposed reclassification provided the medicines could be presented in approved over-the-counter packs.
Fexofenadine	The Committee concluded that these issues could be addressed by appropriate labels and so fexofenadine hydrochloride 60 mg capsules, 120 mg film coated tablets and 60 mg film coated tablets should be reclassified from pharmacy-only medicine to general sales medicine for the treatment of Seasonal Allergic Rhinitis. The Committee recommended that a warning statement should be included on the pack to the effect of 'do not use with other anti-histamines; this product should not be used when pregnant or when breast feeding except when advised by your Doctor or Pharmacist'. Medsafe should insert these requirements into the appropriate section of the New Zealand Regulatory Guidelines for Medicines.
Guaiphenesin	In conclusion, the Committee felt that the submission was largely satisfactory. The Committee recommended reclassifying guaiphenesin in modified release dose form to general sale, with limits on pack size and daily intakes. Relevant warning statements, including those discussed above, should also be included on the packaging.
Lansoprazole	The requirements for lansoprazole as a restricted medicine: a. it must be sold in the manufacturer's original pack b. the strength in each dose unit should not exceed 15 mg c. the maximum daily dose should not exceed 15 mg d. the pack size must not exceed 14 dose units e. the indication should be limited to the relief of heartburn and short-term, symptomatic relief of gastric reflux-like symptoms in sufferers aged 18 years and over

	f. the following warning statements, or words of similar meaning, are required on the label: i. for short-term use only, except on medical advice ii. do not use the medicine for any purpose other than that specified on the pack, except on medical advice iii. do not use if you are experiencing weight loss, persistent regurgitation of food or vomiting, difficulty swallowing or symptoms of gastro-intestinal bleeding, except on medical advice iv. consult a doctor if symptoms persist, recur or worsen or if new symptoms occur v. consult a doctor or pharmacist before use if you are pregnant or are taking any other medicines g. the package insert should include all interactions specified on the data sheet. h. Medsafe should insert these requirements into the appropriate section of the New Zealand Regulatory Guidelines for Medicines. The Committee also recommended that the sponsor company should submit a product application because the product and new indication (ie, relief of heartburn) needed to be approved by Medsafe.
Loperamide	The Committee suggested that the safe use of the product could be further enhanced by adding warning statements on the label, for example do not take for over 24 hours without seeking advice from a healthcare practitioner and if symptoms persist for more than 48 hours see a Doctor, or words of similar meaning. The Committee also discussed the concern that reclassification of loperamide could lead to inappropriate use of the product in occupations where individuals with a diarrhoeal illness should be temporarily excluded for example food handling. The Committee considered that this issue could be addressed by inclusion of general advice about hydration and hygiene if suffering from diarrhoea. The Committee concluded that with appropriate labelling the safety profile of loperamide supported its reclassification to general sale medicine for the symptomatic treatment of acute non-specific diarrhoea.
Omeprazole	Any outstanding issues relating to such matters as dosage and pack warning statements could be dealt with by requiring products to be sold over-the-counter only when in packs approved for sale at that level. Medsafe should then include the requirements for over-the-counter sale of omeprazole in the appropriate section of the New Zealand Regulatory Guidelines for Medicines.
Oxymetazoline	The Committee noted that products intended to be sold in supermarkets needed to be labelled with clear and unambiguous advice to support appropriate consumer self-selection. It is inappropriate to direct the consumer to seek health professional advice when sale is intended for an environment with no such supervision.

Pantoprazole	The Committee agreed to the reclassification of pantoprazole provided that the medicine met requirements similar to those detailed for the over-the-counter sale of omeprazole in the New Zealand Regulatory Guidelines for Medicines. The requirements for the over-the-counter sale of pantoprazole are: • It must be sold in the manufacturer's original pack…
Ranitidine	While the Committee had been satisfied overall with the safety of the product to justify a change to general sale medicine, there were still some issues to be resolved around pack warning statements. Members agreed that the company had responded with a vastly improved pack containing all but one of the pack warnings that they had requested.
Triamcinolone	The Committee agreed that the classification change and change to indications which had already occurred with other aqueous corticosteroid nasal spray was also appropriate for triamcinolone nasal sprays and the change to pharmacy-only medicine should be made when the product was in packaging compliant with the requirements for over-the-counter sale in Volume 1 of the New Zealand Regulatory Guidelines for Medicines.
Zolmitriptan	The packaging should include warnings about use during pregnancy; one nasal spray equates to one dose; the dose should not be repeated within 24 hours, and advertising should be in line with the dosing instructions. Medsafe should insert these requirements into the appropriate section of the New Zealand Regulatory Guidelines for Medicines.

For some medicines, the wording ‘manufacturer’s original pack’ appears only in the recommendation. This does not mean the MCC did not discuss the manufacturer’s original pack, only that it was not included in the minutes. These medicines are:

- codeine
- cyclizine
- desogestrel
- esomeprazole
- ethinylestradiol
- famciclovir
- ibuprofen
- levonorgestrel
- norethisterone
- nizatidine.

For some medicines the wording ‘manufacturer’s original pack’ is not referred to specifically in the minutes or the recommendation but appears in the gazette notice. In these instances Medsafe would have included the manufacturer’s original pack in the gazette notice to reflect the intent of the MCC and to follow the style of classification statements in Schedule 1. These medicines are:

- cetirizine
- fluconazole
- fluoride

- loratadine
- rizatriptan
- sildenafil
- sumatriptan
- zinc.

Other medicines have had the wording ‘manufacturer’s original pack’ added to the classification statement by Medsafe outside of the MCC process:

a. With brompheniramine, chlorpheniramine, dexchlorpheniramine, diphenhydramine, doxylamine, mepyramine, pheniramine, promethazine and trimeprazine, although the reclassification was implemented some time earlier, the wording ‘when sold in the manufacturer’s original pack’ was not added until a Gazette notice published on 2 February 2012. When the classification of a medicine is changed from prescription to over-the-counter, conditions are often imposed, such as limits on pack size, strength or indications. These conditions are generally included in the classification statement of the medicine. However, there were a number of medicines for which these conditions were instead reflected in the New Zealand Regulatory Guidelines for Medicines. To achieve consistency and to follow the intent of the MCC, the classification statements for these medicines were updated in a Gazette notice published on 2 February 2012 with the conditions added.

b. With cocaine, morphine, opium and pholcodine the wording ‘when sold in a pack approved by the Minister or the Director-General’ was added by means of an update to the Medicines Regulations 1984, the Medicines Amendment Regulations 2011. Medsafe went through the Schedules to the Misuse of Drugs Act 1975 to identify substances that had a therapeutic purpose. Those substances were then included in Schedule 1. This was done because if a medicine is also a controlled drug, then the Medicines Act 1981 and Misuse of Drugs Act 1975 both apply. Where there is any inconsistency between the two sets of legislation, the Misuse of Drugs legislation takes precedence over the Medicines legislation. For substances scheduled only in Misuse of Drugs Act 1975, some of the Medicines Act 1981 controls (with respect to labelling or advertising) that should apply to a prescription medicine would not.

4. Points for the MCC to consider with the wording ‘manufacturer’s original pack’

a. In the Standard for the Uniform Scheduling of Medicines and Poisons in Australia, the wording ‘in a primary pack’ is used. Primary pack means the pack in which a poison and its immediate container or immediate wrapper or measure pack are presented for sale or supply.

   In New Zealand, the Medicines Act 1981 defines the following:
   - pack means to enclose in a container for the purpose of sale and supply
   - package, in relation to any medicine or medical device, means any box, packet, or other receptacle in which one or more containers of the medicine or device are or are to be enclosed; and, where any such box, packet, or other receptacle is or is to be itself enclosed in one or more other boxes, packets, or other receptacles, includes every such box, packet, or other receptacle.

b. The ‘manufacturer’s original pack’ does not necessarily mean a pack manufactured and / or approved for distribution in New Zealand. The additional wording ‘that has received the consent of the Minister or the Director-General to its sale as a…’ would ensure that the:
   - medicine has been evaluated by Medsafe
   - labelling and pack insert includes all the required information
   - medicine is approved for sale in New Zealand.

c. The Medicines Act 1981 only includes provision to stop personal imports of prescription medicines at the border. The intent of a restricted medicine classification is to ensure that consultation with a pharmacist (trained health professional) occurs in New Zealand, and that appropriate counselling and advice can be provided, before the medicine is supplied.

   Also, the wording ‘manufacturer’s original pack’ does not limit the number of packs that can be obtained. The use of the wording effectively allows a private individual to import multiple smaller packs of an unapproved medicine (where the total quantity imported would make the medicine a prescription medicine).

d. On 1 August 2011, the Label Statements Database was introduced. The database lists the warning and advisory statements that are required on medicine and related product labels under regulations 13(1)(i) and 14(1)(f) of the Medicines Regulations 1984. Words of a similar meaning to the statements in the database may be used and individual statements may be combined provided the intent is not changed. The full set of labelling requirements for medicines is specified in the Medicines Regulations 1984 and described in the Medsafe guidance document 'Guideline on the Regulation of Therapeutic Products in New Zealand, Part 5: Labelling of Medicines and Related Products'.

   Before the introduction of the Label Statements Database, recommendations from the MCC regarding warning statements would require Medsafe to update the New Zealand Regulatory Guidelines for Medicines.

e. A Prescriber Update article could be written for the Medsafe website regarding the list of medicines in Appendix 1 and why each must be sold in the manufacturer’s original pack. The article could be circulated to pharmacists and their professional bodies.

f. The following (or words of similar meaning) could be added to the introductory statements of Schedule 1 to the Medicines Regulations 1984 - Unless specific reference is made otherwise, every reference to the pack or package of a medicine in this schedule applies to an original manufacturer's pack or package that has the consent for distribution by the Minister of Health, New Zealand.

   Adding this statement would require public consultation with interested parties. An amendment would need to be made to the Medicines Regulations 1984.

5. Conclusion

There are currently 45 medicines in Schedule 1 to the Medicines Regulations 1984 that reference the manufacturer’s original pack.

From 1993 until the present day, the MCC has recommended the reclassification of a number of medicines from prescription to over-the-counter with the clear intent that the medicine should only be reclassified because specific information (eg, pack size, strength, indications, warning statements and written information a patient could refer back to) would be included in the classification statement and added to the manufacturer's original pack.

Further information would be required on each specific medicine (eg, the recommendation made at the 55th meeting querying how information requirements and keeping labels up to date as new information on adverse effects to a medicine is published internationally) before the MCC can make any further recommendations.