

Subsection 56(1) class exemption for community pharmacists impacted by an emergency evacuation in Canada

In an effort to protect legitimate patient access to medication containing controlled substances in parts of Canada affected by an emergency evacuation, measures have been put in place to allow for the movement of these products.

Scope

Pursuant to subsection 56(1) of the *Controlled Drugs and Substances Act* (CDSA) and subject to the terms and conditions set out herein, evacuating and receiving pharmacists are hereby exempted from subsections 5(1) and 5(2) of the *Controlled Drugs and Substances Act*, subsection 31(1) of the *Narcotic Control Regulations*, and section G.03.002 of the *Food and Drug Regulations* in order to sell, provide, transfer, transport, send or deliver controlled substances to each other during and following an evacuation because of a fire, flood, drought, storm, earthquake or other natural phenomenon.

Definitions:

Except as provided below, the terms used in this exemption have the same meaning as those provided in the CDSA and its regulations:

Evacuating pharmacist: means a person who is entitled under the laws of a province or territory to practice pharmacy, who is practising pharmacy in that province or territory, and who is required to evacuate their current pharmacy because of a fire, flood, drought, storm, earthquake or other natural phenomenon.

Receiving pharmacist: means a person who is entitled under the laws of a province or territory to practice pharmacy, who is practising pharmacy in that province or territory, and who receives a controlled substance from an evacuating pharmacist pursuant to this exemption.

Terms and Conditions:

1. This exemption only applies to evacuating and receiving pharmacists who are practising in a community pharmacy setting.
2. To protect controlled substances from loss or theft, an evacuating pharmacist must take the following measures when selling, providing, transferring, transporting, sending or delivering controlled substances to a receiving pharmacist under this exemption:
 - a. Make all reasonable efforts to conduct a physical inventory of all controlled substances prior to being moved and retain a record of this inventory count for a period of two years. In the event a physical count is not possible due to an emergency evacuation, evacuating pharmacists must take alternate measures to

document the inventory as accurately as possible. Options include, but are not limited to, printing a copy of the theoretical inventory of controlled substances.

- b. Ensure the security of the controlled substances while in transit between the two pharmacies.
 - c. Conduct another inventory count once the controlled substances arrive at the receiving pharmacist's pharmacy to ensure no losses have occurred and retain a record of this inventory count for a period of two years.
 - d. Report any losses to Health Canada as described in the [Guidance on reporting loss or theft of controlled substances and precursors](#).
 - e. Make a record of the sale, provision, transfer, transport, sending or delivery of the controlled substances, which must be retained for two years and include the following information:
 - i. The brand name (if applicable), substance name and drug information number (DIN) (if applicable) of each controlled substance;
 - ii. The strength, dosage form and total amount of each controlled substance;
 - iii. The date the controlled substances are received at the receiving pharmacist's pharmacy;
 - iv. The name of the evacuating pharmacist and the municipal address of their pharmacy; and
 - v. The name of the receiving pharmacist and the municipal address of their pharmacy.
3. Upon receipt of controlled substances from an evacuating pharmacist, a receiving pharmacist shall immediately enter the following in a book, register or other record maintained for such purposes and retain it for a period of two years:
- a. the name and quantity of the controlled substance received;
 - b. the date the controlled substance was received; and
 - c. the name and address of the evacuating pharmacist from whom the controlled substance was received.
4. An evacuating pharmacist who is selling, providing, transferring, transporting, sending or delivering controlled substances to a receiving pharmacist in a different province or territory must notify the regulatory body for pharmacists of the province or territory where the receiving pharmacist is practising.
5. A receiving pharmacist may purchase the controlled substances obtained from an evacuating pharmacist or may sell, provide, transfer, transport, send or deliver them to an evacuating pharmacist once an evacuating pharmacist can return to the evacuated area.

6. To protect controlled substances from loss or theft, a receiving pharmacist must take the following measures when selling, providing, transferring, transporting, sending or delivering controlled substances to an evacuating pharmacist returning to an evacuated area under this exemption :
 - a. Make all reasonable efforts to conduct a physical inventory of all controlled substances prior to being moved and retain a record of this inventory count for a period of two years.
 - b. Ensure the security of the controlled substances while in transit between the two pharmacies.
 - c. Conduct another inventory count once the controlled substances arrive at the evacuating pharmacist's pharmacy to ensure no losses have occurred and retain a record of this inventory count for a period of two years.
 - d. Report any losses to Health Canada as described in the [Guidance on reporting loss or theft of controlled substances and precursors](#).
 - e. Make a record of the sale, provision, transfer, transport, sending or delivery of the controlled substances, which must be retained for two years and include the following information:
 - i. The brand name (if applicable), substance name and drug information number (DIN) (if applicable) of each controlled substance;
 - ii. The strength, dosage form and total amount of each controlled substance;
 - iii. The date the controlled substances are returned to the evacuating pharmacist's pharmacy;
 - iv. The name of the receiving pharmacist and the municipal address of their pharmacy; and
 - v. The name of the evacuating pharmacist and the municipal address of their pharmacy.
7. Upon receipt of controlled substances from a receiving pharmacist, an evacuating pharmacist returning to the evacuated area shall immediately enter the following in a book, register or other record maintained for such purposes and retain it for a period of two years:
 - a. the name and quantity of the controlled substance received;
 - b. the date the controlled substance was received; and
 - c. the name and address of the receiving pharmacist from whom the controlled substances was received.

8. Evacuating pharmacists and receiving pharmacists must comply with any applicable provincial or territorial requirements established by their respective provincial or territorial regulatory body for pharmacists.

This exemption is effective as of August 8, 2025 and expires on the earliest of the following dates:

- a. The date on which it is replaced by another exemption; or
- b. The date on which it is revoked.

This exemption may be suspended without prior notice if the Minister deems that such suspension is necessary to protect public health, safety or security.

The Minister may revoke the exemption if they believe that it is no longer necessary or in the public interest.

Signed for and on the behalf of the Minister of Health,

**Mawani,
Aysha**

Digitally signed by Mawani, Aysha
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Aysha Mawani

Director General

Controlled Substances and Overdose Response Directorate
Health Canada

Effective Date: August 8, 2025