

San Francisco Department of the Environment Regulations **SFE 17-01-SDDIO**
Requirement for Pharmacies to post display materials explaining how to safely and lawfully dispose of
unused medications.

Ordinance No. 85-11, Adopted May 31, 2011

Regulation Effective Date: Upon Signature of the Director

A. Background

The Safe Drug Disposal Information Ordinance was signed by the Mayor on May 31, 2011. The Ordinance requires that, beginning no later than December 1, 2011, all businesses in San Francisco that sell prescription drugs post display materials explaining to residents how they can safely and lawfully dispose of unused medications. This Regulation specifies the contents and format for these display materials.

B. Authorization

San Francisco Environment Code Chapter 22:

SEC. 2252. INFORMATION REQUIRED AT POINT OF SALE.

(a) Beginning **December 1, 2011**, any business selling prescription drugs to the public shall post display materials approved by the Director [of the Department of the Environment] explaining how members of the public may safely and lawfully dispose of unused prescription drugs. The materials shall be in English, Spanish, and Chinese, and legible and easily readable by the average person. The materials shall be posted on the premises of the business in a location visible to the public and adjacent to the area where the prescription drugs are dispensed.

(b) The Director may, in his or her discretion, authorize a business to use alternate means to comply with the requirements of subsection (a) The Director shall authorize such alternate means through the adoption of a regulation after a noticed hearing, and no business may sell prescription drugs to the public or offer to sell prescription drugs to the public using any alternate means of compliance with this Chapter unless specifically authorized to do so in advance in writing by the Director.

(c) The City urges all persons and entities providing prescription drugs to the public for free to also participate in this program.

SEC. 2253. IMPLEMENTATION.

(a) The Director, after a public hearing, may adopt and may amend guidelines, rules, Regulations, and forms to implement this Ordinance.

(b) By **October 1, 2011**, the Department shall issue regulations specifying the contents and format for the display materials required by Section 2252.

C. Applicability.

This regulation applies to all San Francisco businesses selling prescription drugs, defined by the San Francisco Environment Code Chapter 22, Section 2251 as:

(b) "Business" means a fixed location within the City and County of San Francisco, whether indoors or outdoors, at which Prescription Drugs are offered for sale at retail and that is required to obtain a valid San Francisco business registration certificate from the San Francisco Tax Collector's office.

D. Requirements.

1. SEC. 2252 Materials to be Displayed.

Businesses must post information on the safe and lawful disposal of unused medicine. Materials must be displayed on standard paper size no smaller than 8.5 x 11 inches.

- (a) Businesses that collect residentially-generated pharmaceuticals by hosting a medicine collection kiosk through an approved Stewardship Plan in compliance with Chapter 22 of the Environment Code, may consider their existing medicine collection kiosk signage as required materials. No additional materials are required to be displayed.
- (b) Businesses that do not collect residentially-generated pharmaceuticals by hosting a medicine collection kiosk through an approved Stewardship Plan in compliance with Chapter 22 of the Environment Code, shall display materials provided by the Department of the Environment. The materials will be a poster, no smaller than 8.5 x 11 inches, stating "Find Safe Medicine Disposal Locations," and listing a Department or approved Stewardship Plan phone number and website where the public may find information on how to safely and lawfully dispose of unwanted residentially-generated pharmaceuticals. The materials may also include statements discouraging unlawful or improper disposal of residentially-generated pharmaceuticals, such as "Don't flush medicine down the toilet or sink," and "Don't put medicine in the trash."
- i. Businesses subject to subsection (b) may submit an alternative material design to be approved in writing by the Director, in his or her sole discretion:
- Plain language and if possible, images, shall be used to inform the public on how to dispose of residentially-generated pharmaceuticals.
 - Materials shall specify all locations in San Francisco where the public may dispose of residentially-generated pharmaceuticals, or specify at minimum three locations in San Francisco nearby the business where the public may dispose of residentially-generated pharmaceuticals and include a Department or approved Stewardship Plan phone number and website where the public may find additional locations.
 - Alternative material designs shall be submitted to the Director by 45 days after the effective date of this regulation. Alternative material designs may also be submitted on an annual basis by January 31.
 - The Director shall have 30 days upon receipt of proposed alternative material designs to approve or not approve. Upon Director approval of an alternative material design, a business will have 45 days to post the approved materials at their location.
 - Alternative material designs that are not approved may be resubmitted once within 30 days, or businesses may otherwise use materials provided by the Department.
- ii. Businesses may submit an alternative material design by the following methods:
- By hard copy to:
San Francisco Department of the Environment
1455 Market St. Suite 1200
San Francisco, CA 94103
 - By electronic copy to: **SafeMeds@sfgov.org**
- (c) By 90 days after the effective date of this regulation, the Department of the Environment will distribute materials to businesses subject to subsection (b) above, that do not collect residentially-generated pharmaceuticals through an approved Stewardship Plan. If a business does not receive materials by 90 days after the effective date of this regulation or requires replacement materials 90 days after the effective date of this regulation, due to loss, theft, or damage, posters must be requested by the business to ensure continued compliance.

i. Posters may be requested in the following ways:

- Calling the Department of the Environment: **415-355-3700**
- A written request to:
San Francisco Department of the Environment
1455 Market St. Suite 1200
San Francisco, CA 94103
- By email: **SafeMeds@sfgov.org**

All information for approved methods for a poster request will also be available at sfenvironment.org/medicinedisposal.

The Director of the Department of the Environment hereby adopts these regulations as of the date specified below.

Approved:

 _____ 8/18/17
Deborah O. Raphael Date
Director, Department of the Environment

