

San Francisco Department of the Environment Regulations **SFE 11-08-SDDIO**
Requirement for Pharmacies to post display materials explaining how to safely and lawfully dispose
of unused medications.

Ordinance No. 85-11

Regulation Effective Date: October 1, 2011

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 11:

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 11, 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. See attached templates.

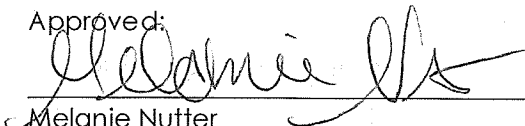
Businesses must post the poster provided by the Department of the Environment, which includes instructions on safe and lawful disposal of unused medicine. The poster must be displayed on standard paper size no smaller than 9 x 12 inches.

- (a) Businesses that collect residentially-generated pharmaceuticals through a City-administered program shall use content and format for the poster, including graphics, identical to the attached Template A.
- (b) Businesses that do not collect residentially-generated pharmaceuticals through a City-administered program shall use content and format for the poster, including graphics, and tear-off pad identical to the attached Template B.
- (c) Prior to December 1, 2011, the Department of the Environment will distribute posters and tear-off pads to businesses selling prescription pharmaceuticals in San Francisco. If a business does not receive a poster or tear-off pad (for Template B only) by November 15th, 2011, they may request one in writing, using the methods listed in section (d), to ensure receipt prior to December 1, 2011.
- (d) The Department of the Environment will continue to provide replacement materials to businesses after December 1, 2011. If a business requires replacements of a poster or tear-off pad after December 1, 2011, due to loss, theft, damage, or shortage, these materials must be requested by the business in one of the following ways to ensure continued compliance.
 - In person at The Department of the Environment, M-F (9AM to 5PM):
11 Grove St. San Francisco, CA 94102
 - A written request to:
Toxics Reduction Program, SF Department of the Environment
11 Grove St. San Francisco, CA 94102
or toxics@sfcenvironment.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:


Melanie Nutter

9/30/11

Date

Director, Department of the Environment

REGULATION ATTACHMENTS: Poster Template A, Poster Template B