

Mr Lyndon Braddick  
RPSGB  
(By email)

2 February 2010

Dear Lyndon

## EUROPEAN COMMISSION INFRACTION 2002/4199

The UK Government has been in discussion with the European Commission since 2002 regarding the alignment between our domestic Medicines Regulations and EU law. The Commission contends that a number of provisions in UK domestic Regulations are contrary to the principle of the freedom to provide services enshrined in Article 56 of the Treaty of the Functioning of the European Union.

I am writing to you to let you know that, as a result, the relevant Government authorities in the four countries of the UK have accepted the need to amend the national legislation and changes will be made as soon as possible, which will have the effect of:

- removing the requirement that prescriptions written by non-UK prescribers must include the address of the patient and their age if they are under 12;
- ensuring the recognition of prescriptions written by non-UK prescribers for controlled drugs which are not subject to 'special medical prescription'<sup>1</sup>.

Until the Regulations are amended the provisions of our current domestic Regulations apply.

The relevant Government authorities in the four countries of the UK will ensure that the changes to the legislation will continue to maintain the highest standards of safe and effective patient care.

The MHRA has issued a consultation letter (MLX 366) dated 1 February about the proposals. The letter can be accessed at <http://www.mhra.gov.uk/Publications/Consultations/Medicinesconsultations/MLXs/CON070974>

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<sup>1</sup> *The Special Medical Prescription category is defined at Articles 70-75 of Directive 2001/83/EC of the European Parliament.*

I will write to you again before Easter detailing how the legislative changes outlined above will be made and our plans for effectively engaging your organisation and others with this process.

Yours sincerely



**PROFESSOR BILL SCOTT**  
**Chief Pharmaceutical Officer**