

General principles of law (in pharmacy)

Definition of Law

- Law is a system of rules and guidelines enforced through social institutions to govern behavior.
- In the context of pharmacy, laws regulate the use, sale, prescription, and distribution of drugs to ensure public health and safety.

Types of Law Relevant to Pharmacy

- **Criminal Law:** Deals with offenses against the state. In pharmacy, this includes selling counterfeit drugs, unlicensed practice, or violating drug laws.
- **Civil Law:** Deals with disputes between individuals or organizations. In pharmacy, civil liability may arise from negligence or malpractice.
- **Administrative Law:** Governs regulatory agencies such as the Drug Controller General of India (DCGI), Pharmacy Council of India (PCI), etc.
- **Constitutional Law:** Provides the basic rights and legal framework under which the government operates. It forms the basis for laws related to health and safety.

Purpose of Law in Pharmacy

- To regulate the profession of pharmacy
- To ensure the safety, efficacy, and quality of medicines
- To protect the public from harmful and substandard drugs
- To establish professional standards and ethical conduct for pharmacists

History of pharmacy legislation in india

- Understanding the **historical background** of pharmacy laws helps to appreciate why certain regulations were introduced.

Pre-Independence Period

- Before independence, there was no formal regulation of drugs or the pharmacy profession.
- Medicines were sold freely by unqualified individuals.
- The market was flooded with substandard and spurious drugs.

Post-Independence Reforms

- The **Bhore Committee Report (1946)** emphasized the need to regulate pharmacy education and practice.

- This led to the formation of laws that would ensure public safety and professional standards in pharmacy.

Important acts related to drugs and pharmacy profession in India

Here are some major Acts governing pharmacy and drug regulation in India:

1. Drugs and Cosmetics Act, 1940

- **Purpose:** To regulate the import, manufacture, distribution, and sale of drugs and cosmetics.
- **Provisions:**
 - Licensing of manufacturing and selling drugs.
 - Quality control of drugs and cosmetics.
 - Establishment of Drug Testing Laboratories.
- **Amended regularly** to include rules for Ayurvedic, Siddha, and Unani drugs.

2. Pharmacy Act, 1948

- **Purpose:** To regulate the profession of pharmacy in India.
- **Provisions:**
 - Establishment of the **Pharmacy Council of India (PCI)**.
 - Registration of pharmacists.
 - Prescription of **minimum educational qualifications** for pharmacists.

3. Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954

- **Purpose:** To control the advertisement of drugs and prohibit misleading claims.
- **Prohibits:**
 - False advertisements of cures for diseases like cancer, diabetes, etc.
 - Promotion of drugs that can harm public health or exploit people's beliefs.

4. Narcotic Drugs and Psychotropic Substances Act (NDPS Act), 1985

- **Purpose:** To control and regulate operations related to narcotic drugs and psychotropic substances.
- **Provisions:**
 - Regulates cultivation, production, sale, and possession of narcotic drugs.
 - Severe penalties for illegal trafficking or misuse.

5. Medical Termination of Pregnancy Act, 1971

- Allows the use of certain drugs for **legal abortion under specific conditions**.
- Pharmacists must understand which drugs can be dispensed and under what regulations.

6. Essential Commodities Act, 1955

- Includes **drugs as essential commodities**.
- Empowers the government to control the production, supply, and pricing of essential drugs.

7. Drugs (Prices Control) Order (DPCO)

- Issued under the Essential Commodities Act.
- Regulates the prices of essential drugs to ensure affordability.
- Enforced by the **National Pharmaceutical Pricing Authority (NPPA)**.

Professional ethics in pharmacy

- Though not enforced as law, **ethics** in pharmacy defines the moral responsibilities of pharmacists.
- The **Code of Pharmaceutical Ethics**, issued by the PCI, outlines duties in the following areas:

1. Towards Patients:

- Maintain confidentiality.
- Accurately dispense prescribed medicines.
- Provide proper counseling and information.

2. Towards the Profession:

- Uphold integrity and professionalism.
- Engage in continuing education.
- Avoid practices that discredit the profession.

3. Towards Society:

- Promote public health.
- Avoid involvement in illegal drug marketing or unethical promotions.

4. Towards Colleagues:

- Cooperate professionally.
- Avoid defamation or conflict within the profession.



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