Drug Enforcement Administration Diversion Control Division Civil Unrest Emergency Guidance Document

Title: Civil Unrest Q&A Pharmacy Destruction Options

Question: My pharmacy experienced damage due to civil unrest and now I have damaged drugs. What should I do with them?

Answer: When possible, secure all drugs for assessment. Any controlled substances damaged by fire or water, exposed to high temperatures, or otherwise damaged should be collected for proper disposal. Any pharmacy that desires to dispose of controlled substances must do so in accordance with the DEA regulations, including recordkeeping (21 CFR Part 1317). A pharmacy can promptly destroy controlled substances by rendering them non-retrievable using an on-site method of destruction. See 21 CFR 1317.05(a)(1). Alternatively, a pharmacy can promptly deliver that controlled substance to a reverse distributor's registered location by common or contract carrier pick-up or by reverse distributor pick-up at the pharmacy's registered location. See 21 CFR 1317.05(a)(2).

Guidance documents, like this document, are not binding and lack the force and effect of law, unless expressly authorized by statute or expressly incorporated into a contract, grant, or cooperative agreement. Consistent with Executive Order 13891 and the Office of Management and Budget implementing memoranda, the Department will not cite, use, or rely on any guidance document that is not accessible through the Department's guidance portal, or similar guidance portals for other Executive Branch departments and agencies, except to establish historical facts. To the extent any guidance document sets out voluntary standards (e.g., recommended practices), compliance with those standards is voluntary, and noncompliance will not result in enforcement action. Guidance documents may be rescinded or modified in the Department's complete discretion, consistent with applicable laws.

EO-DEA162, June 12, 2020