

Tobacco and Other Smoking Products Amendment Bill 2023

Submission No: 28
Submitted by: Pharmaceutical Society of Australia
Publication:
Attachments: No attachment
Submitter Comments:

31 March 2023

Committee Secretary
Health and Environment Committee
Parliament House
George Street
Brisbane Q 4000
Via HEC@parliament.qld.gov.au

Re: Inquiry into the Tobacco and Other Smoking Products Amendment Bill 2023 (Bill)

The Pharmaceutical Society of Australia (PSA) is the peak national professional pharmacy organisation representing Australia's 36,000 pharmacists working in all sectors and across all practice settings.

PSA leads and supports innovative and evidence-based healthcare service delivery by pharmacists. PSA provides high-quality practitioner development and practice support to pharmacists and is the custodian of the professional practice standards and guidelines to ensure quality and integrity in the practice of pharmacy.

PSA notes that pharmacists have played a longstanding role in supporting smokers to stop smoking and interact frequently with people seeking advice or information on smoking cessation. Pharmacists are reliable sources of health information and are experts on medicines, while being uniquely placed to provide health and well-being information and advice to individuals, groups, and the pharmacy sector.

PSA provides practice guidance for the pharmacy profession through the *Non-prescription medicine treatment guideline: Nicotine replacement therapy for smoking cessation* published in the Australian Pharmaceutical Formulary and Handbook, and *Fact Cards – Smoking, Nicotine replacement therapy*, and *Staying a non-smoker* through the PSA Self Care program. Additionally, the *Guidelines for pharmacists providing smoking cessation support*, were published in September 2021.

PSA thanks the Health and Environment Committee for the opportunity to provide a submission to the Bill. We also wish to acknowledge the effective and useful consultation to date by the staff at the Prevention Strategy Branch.

We are strongly supportive of the Bill's proposed amendments and provide the following feedback for consideration.

Feedback

- **Licencing scheme**

PSA supports the introduction of a licensing scheme for the retail and wholesale selling of smoking products. We also support the exemption for pharmacists dispensing smoking products from a prescription due to the existing regulatory requirements in place.

Nicotine Vaping Products (NVPs) are Schedule 4 (prescription only medicines) and are currently regulated by the Therapeutic Goods Administration (TGA) and State and Territory laws. NVPs can only be lawfully supplied by pharmacies in Australia via the Authorised Prescriber scheme and Special Access Scheme Category B. In Queensland, community pharmacies are regulated by the *Pharmacy Business Ownership Act (PBOA)* and medicines are regulated by the *Medicines and Poisons Act 2019 (MPA)* and *Therapeutic Goods Act 2019 (TG Act (Qld))*.

PSA seeks clarity that devices that are used to administer prescribed NVP are included in the exemption. Currently the clause only refers to 'a regulated substance' and not administration devices.

- **Children handling and supplying smoking products**

PSA supports the exemption of child employees under the supervision of a pharmacist in the proposed amendment. This is due to the existing regulatory requirements in place.

The *Medicines and Poisons Act 2019* authorises a general pharmacy assistant who is 16 years or more and employed at a pharmacy to possess an S4 or S8 medicine under the direct supervision (i.e., being in physical proximity) of a pharmacist. This is to support handling processes like unpacking of orders and stock taking.

The [Therapeutic Goods \(Standard for Nicotine Vaping Products\) \(TGO 110\) Order 2021 \(TGO 110\)](#) is a product standard made under section 10 of the *Therapeutic Goods Act 1989 (Act)*. TGO 110 sets out minimum safety and quality requirements for nicotine vaping products that are not registered in the ARTG and that are imported into, supplied in, or exported from Australia. All nicotine vaping products currently available in Australia are unregistered nicotine vaping products.

Yours sincerely,



Nicole Floyd
B.Pharm MPS GAICD
Queensland State Manager,
Pharmaceutical Society of Australia