Federal Ordinance on authorisations in the area of medicinal products (SR 812.212.1), Articles 7, 12 and 15

Federal Ordinance on medicinal products (SR 812.212.21), Article 29

Cantonal legislations

As qualified by the Description element

Description:

FEDERAL LEVEL:

Authorisation is required for the import, distribution, sale and trade of goods as defined in the Laws cited in the Measures element (SR 810.21, Article 49; SR 812.121, Article 4; SR 812.21, Articles 18, 19, 20, 27, 28, 29, 30 and 47; SR 812.121.3, Article 6).

Juridical persons seeking an authorisation must have their domicile in Switzerland and be registered in a cantonal Commercial Register. Natural persons seeking authorisation must be resident in Switzerland (SR 812.21, Articles 2 and 10; SR 812.121.3, Article 6; SR 812.212.1, Articles 7 and 12; SR 810.21, Article 49).

CANTONAL LEVEL:

Retail distribution:

Authorisation issued by the cantons is required for retail distribution of goods as defined in the Federal Law on the transplantation of organs, tissues and cells (SR 810.21) and in the Federal Law on medicinal products and medical devices (Law on therapeutic products, SR 812.21). Cantons may establish corresponding rules, conditions and procedures (SR 812.21, Article 30; SR 810.21, Article 49).

Qualification: Switzerland reserves the right to maintain, modify or adopt any such rules and conditions.

Mail-order distribution:

Mail-order business and distribution of goods as defined in the Federal Law on the transplantation of organs, tissues and cells (SR 810.21) and in the Federal Law on medicinal products and medical devices (Law on therapeutic products) (SR 812.21) is prohibited in principle. Authorisation issued by the cantons may be granted in some cases (SR 812.21, Article 27; SR 810.21, Article 49). To obtain such an authorisation, a cantonal retail distribution authorisation granting the permission to operate a public pharmacy is required (SR 812.212.21, Article 29).

Qualification: Switzerland reserves the right to maintain, modify or adopt any measures restricting market access and/or national treatment for mail-order business and distribution services.

Note for transparency: Placing certain medical devices on the market may require an authorisation (SR 812.21, Article 47). Import and export of certain medical devices may be restricted or prohibited (SR 812.21, Article 50).