

PI - Prescription and over-the-counter drugs policy - Prohibited, Restricted and Counterfeit items

<h2>GUIDE.SUMMARY What is the policy? Our policy for the sale of medical drugs aims to make sure that any listings in this

category meet strict health and safety regulations. Prescription drugs or drugs

containing prescription strength medication cannot be listed Over-the-counter

medication containing non-prescription strength drugs must: Clearly state the

concentration of the prescription drug in the description Not be expired prior to

reaching the buyer and clearly state the expiration in the description

Herbal, holistic, or drug-like remedies can't imply any non-government-approved treatments,

or be compared to any prescription drug It is not allowed to claim any health

benefits from legal substances that the <a

href="https://www.fda.gov/food/food-labeling-nutrition/authorized-health-claims-meet-significant-scie

ntific-agreement-ssa-standard" target="_blank">Food and Drug Administration

(FDA) hasn't approved Why does eBay have this policy? We

don't allow the listing of prescription drugs, and restrict the listing of other drugs, to protect the safety

of our members and to follow government regulations.

</h2><h2>GUIDE.RELATED_LINKS Related help pages Prescription

and over-the-counter drugs policy
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href="https://www.ebay.com/help/policies/prohibited-restricted-items/prescription-overthecounter-dru

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verthecounter-drugs-policy?id=5048 Drugs and Drug

Paraphernalia
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drug-paraphernalia.html" target="_blank">http://pages.ebay.com/help/policies/drugs-drug-

paraphernalia.html Medical drugs, devices, and healthcare

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product database
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 http://www.webmd.com/ </h2><h2>GUIDE.TALKING_POINTS Item removed because referred by third party Internal Information The landscape for prescription drugs changes every day. We have engaged a third party vendor for their expertise in identifying prescription drugs, hidden ingredients, recalls or health claims. Therefore, the item or ingredient identified by this third party vendor may not be found within the CSKB, but you should still decline any appeals. These items must be admin ended. Why was my item removed (referred by a third party)? We do not allow the sale of products that require a prescription from a licensed practitioner (such as a doctor, dentist, veterinarian, or optometrist) to dispense. Regarding items making health claims, we do not allow the sale of vitamins, supplements, medicines, or drugs that make claims about treating diseases or claims of improved health that are not approved by the FDA or other regulatory bodies globally. Why is my item down and others are up (referred by a third party)?

We use a combination of machine detection, manual site reviews, and community reports to find violating listings that don't follow our policy. It is an ongoing process. We will continue to remove listings that don't follow this policy. You can report any listing that doesn't follow policy by clicking the "Report this item" link on the listing page. Item is not controlled by FDA

While some items may be legal to buy and sell, they also have negative uses that the FDA or law enforcement agencies are concerned with and that eBay does not condone. For this reason, we highly regulate the sale of these items on the site. We recognize that many buyers and sellers use medications according to their intended, legal purpose. However, because eBay is not able to verify that these items would continue to be used according to applicable government regulations, we don't permit them to be sold on the site.

Concerns have been raised about "designer steroids" and other products that claim to produce the same effects as steroids. Expiration dates The FDA requires manufacturers to put an expiration date on OTC items to indicate when the usability of the item (or the item potency) may come into question. eBay supports the use of items before their expiration date. Determining expiration dates We encourage members to include expiration dates within their listings to help comply with our policy.

If an expiration date is listed as month/year (example 05/2012), eBay views the last day of the month as the expiration date (example 05/31/2012). At times, manufacturers will contact eBay with information that a particular item is expired. We will remove items based on reports of expiration from the item manufacturer. Emergency contraceptives The emergency contraceptives permitted on eBay are the only emergency contraceptives that have been approved by the FDA. Herbal item

Items that are compared to prescription drugs (having the same effects) are not permitted on eBay. To list your herbal item, you can't compare it to a prescription drug. Coupons Under Section 4 of the "<a href="https://www.fda.gov/regulatory-information/selected-amendments-fdc-act/prescription-drug-ma

rketing-act-1987" target="_blank">Prescription Drug Marketing Act of 1987," it is illegal to sell a coupon for any drug that requires a prescription to dispense.Coupons for over-the-counter medications are fine to list. This includes controlled medications like those containing pseudoephedrine. Item is not a steroid If your item has the same name as a known steroid, even if your item is not a steroid, it cannot be listed on eBay. Since the sale of steroids is highly regulated, eBay wants to avoid a potential steroid from being sold. Consequently, several name brands for steroids are not allowed on the site even if the item is not an actual steroid. Alli product In January 2010, the FDA issued a warning about counterfeit Alli products on the market. As a precaution, to make sure that sellers verified their stock was genuine, eBay removed listings from the site. Only the 60mg 120-count Alli product was called out in the FDA warning.

When listing Alli, you should see a warning message in the Sell Your Item form, directing you to verify your product; the warning message will include a link to the FDA warning page. Alli items are not prohibited, but sellers need to make sure the item they are selling is genuine. Genuine Alli products can be relisted. The differences between counterfeit and genuine Alli are: A missing LOT code on the outer cardboard packaging An expiration date that includes a MONTH, DAY, and YEAR (whereas the expiration date of the real Alli only contains a MONTH and a YEAR). A plain foil for the inner safety seal without any words on it (the safety seal of the real Alli has the words SEALED FOR YOUR PROTECTION prominently printed on it). Large capsules with white powder, as opposed to small white pellets found in the real Alli A slightly taller plastic bottle with a wider cap and coarser ribbing on the cap than what is seen with the real

product

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To verify that your item is authentic, you should view these

<http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm197857.htm>

eBay requires that images used in the listing are showing the actual product you have for sale. You should make a statement that your item is authentic, then use photographs to justify that claim.

Nootropic drug

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Based on FDA requirements, there are a number of reasons why a nootropic drug can't be listed. The most common reason is that some nootropic drugs are available by prescription only in different countries.

In addition, if there are no FDA-approved English-language instructions/ingredients on the label, then the nootropic drug can't be listed. Nootropic drugs should not be marketed as a dietary supplement.

Research chemicals

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Chemicals that imply that they can be ingested by humans or animals cannot be listed unless approved by the FDA as such. Some chemicals, even if listed as research chemicals, are not allowed on eBay because we have found that these chemicals are used illicitly.

Avian/swine flu concerns

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eBay does not permit the listing of items that advertise prevention, treatment, or cure of diseases. This includes avian or swine flu. Even if an item is approved by the FDA (hand sanitizer, breathing masks, latex gloves, etc.), it cannot be described as preventing or treating swine or avian flu.

Pet flea medication removed from box

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The FDA does not approve using pet medications other than how it is directed on the original packaging of the item. Removing the foil packs from the original box and trying to resell it nullifies the FDA approval of the item.

Caffeinated alcoholic beverages

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We have determined that due to the warning issued by the FDA regarding certain highly

caffeinated liquors, many retail outlets would be removing these items from their shelves. We do not want eBay to become a liquidator for items that could be a danger to our members. We decided not to allow these caffeinated alcoholic beverages

regardless of whether they meet our normal criteria for collectible containers.

- Only clearly empty containers will be allowed. By clearly empty, we must see in the image that the can has been opened or that the can has been punctured to drain the contents. No full containers will be allowed.
- Labels for cosmetics that contain drugs
- If a product is an over-the-counter (OTC) drug as well as a cosmetic, its labeling must comply with the regulations for both OTC drug and cosmetic ingredient labeling.
- The drug ingredients must appear according to the OTC drug labeling requirements and the cosmetic ingredients must appear separately, in order of decreasing predominance. Contact FDA's [Center for Drug Evaluation and Research](http://www.fda.gov/Drugs/default.htm) for further information on drug labeling.
- Acceptable languages for labels
- All required labeling information must be in English. The only exception to this rule is for products distributed solely in a U.S. territory where a different language is predominant, such as Puerto Rico. If the label or labeling contains any representation in a foreign language, all label information required under the FD&C Act (ingredients, usage, directions) must also appear in that language.
- Ephedra
- While items containing certain amounts of ephedra may be legal to sell in many parts of the world, for the safety of the eBay community, eBay has decided to heed the FDA warning about ephedra and not allow the sale of any items containing ephedra on the site.
- Colloidal silver
- In August 1999, the U.S. Food and Drug Administration (FDA) issued a ruling banning colloidal silver sellers from claiming any therapeutic value for the product.
- Deeper why of policy
- For the health and safety of the eBay community, eBay does not allow colloidal silver, ionized silver, and sea silver on our site if it is marketed to treat a disease because of the controversy surrounding these substances.
- eBay urges its sellers and buyers to comply with all governmental laws and regulations. Because the FDA has serious concerns about the sale of drugs and supplements that contain ephedra or such sale are prohibited by law, regulated, or may cause harm to eBay or its members,

sellers may not list ephedra items on eBay. </h2>