

Virginia Board of Pharmacy

Manufacturer, Third-party Logistics Provider, Warehouser, and Wholesale Distributor Licensure Guidance

The holder of a New Drug Application or Abbreviated new Drug Application located in Virginia, regardless of whether it physically receives, stores or ships prescription drugs into the Commonwealth is deemed to be engaged in the practice of manufacturing and therefore must obtain a non-restricted manufacturer permit, prior to engaging in business in Virginia.

A non-resident wholesale distributor, nonresident third-party logistics provider, nonresident warehouser, or nonresident manufacturer does not need to obtain a Virginia Controlled Substances Registration in order to distribute Schedule II-V controlled substances. This registration is required for a licensed wholesale distributor, third-party logistics provider, warehouser, or manufacturer located within Virginia that possesses Schedule II-V controlled substances.

An individual that “brokers” the sale of prescription drugs (takes title of the drugs and transfers ownership but does not physically possess or distribute the drugs), must be licensed as a wholesale distributor.

To comply with the requirements for submission of a social security number or control number as required in Regulation 18VAC110-50-70, the following individuals shall provide a social security number or control number:

- the person serving as the responsible party, and;
- the individual owner or sole proprietor, or;
- each partner, or corporate officer and director, who is specifically responsible for the operations of the facility listed on the application.

Pursuant to 18VAC110-50-80, the responsible party named on an application for change of responsible party of an existing wholesale distributor, third-party logistics provider, nonresident wholesale distributor, or nonresident third-party logistics provider or new application for such permit or registration, shall submit with the application a pdf version of a federal criminal history record check conducted through Fieldprint. The federal criminal history record check should be completed no more than 90 days prior to the date of submission of the application to the Board. If the responsible party was previously subject to a federal criminal background check conducted within this time period, such report may be submitted for board consideration. The link to obtain this background check as well as other pertinent information regarding the requirements may be found here: <https://fieldprintusa.com/FBIHomePage.aspx?PostingID=540&ChannelID=264> Criminal history results are available online for 30 days from the time Fieldprint receives the results from the Federal Bureau of Investigations. If the responsible party does not access the results in this 30-day period, Fieldprint is required to purge the records from its system. Once the

responsible party accesses the results, the results may be saved for seven days. After this seven-day period, the results are removed from the system. Additionally, results that are not saved will be removed immediately after accessing them. In all cases, once the results have been removed from the Fieldprint system, they can no longer be accessed and the complete process must be completed again to obtain a new copy. Additional helpful information from Fieldprint is found here: https://fieldprintusa.com/FBISubPage_FullWidth.aspx?ChannelID=272