

## 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. An applicant may do so by requesting an FBI Identity History Summary either on the [FBI Identity History Summary Checks webpage](#) or through an FBI-approved channeler. Local law enforcement offices may provide fingerprinting services to submit with the background check request.

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.