



LOUISIANA BOARD OF WHOLESALE DRUG DISTRIBUTORS

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Application for licensure as a wholesale distributor of legend drugs (including medical gases) or legend devices is required in accordance with Louisiana Revised Statutes 37:3461-3482, and Board promulgated rules in the Louisiana Administrative Code 46:XCI.101-901.

Wholesale drug distribution means the distribution or sale of legend drugs or legend devices to other than the consumer or patient (*whether by passage of title, physical movement, or both*) including but not limited to distribution by manufacturers, re-packagers, own label distributors, jobbers, third-party logistics providers, retail pharmacy warehouses, pharmacies, brokers, agents, and wholesale drug distributors.

A legend drug or legend device is any drug or device intended for use by humans that carries on its label "Rx", "Rx only", "Caution: Federal law prohibits dispensing without a prescription", a designation for physician use only, or a statement that federal law restricts sale by or on the order of a licensed health care practitioner.

EVERY LEGEND DRUG OR DEVICE DISTRIBUTOR WHO ENGAGES IN THE WHOLESALE DISTRIBUTION OF THESE DRUGS OR DEVICES IN OR INTO THE STATE OF LOUISIANA TO PERSONS OTHER THAN CONSUMERS OR PATIENTS MUST REGISTER WITH THIS BOARD AND MUST RENEW SUCH LICENSE ANNUALLY.

In the case where a (owner) company utilizes a third party logistic (3PL) service provider – *that is, a person that contracts with the owner of the legend drug or device product to provide or coordinate warehousing, distribution, or other services on behalf of the product owner but does not take title to the legend product or have responsibility to direct the sale or disposition of the legend product* - both the owner company as the seller/wholesaler and the 3PL company as the physical distributor must be licensed.

A separate license is required for each facility or physical location directly or indirectly owned or operated by the same business entity or for a parent entity with divisions, subdivision, subsidiaries, and/or affiliate companies when operations are conducted at more than one location and there exists joint ownership and control among all the entities. A parent entity must license all divisions, subdivisions, subsidiaries, and/or affiliate companies owned by the parent company that sell and/or ship legend drugs or devices in or into Louisiana.

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