



Department  
of Health

**Health Service Branded Medicines (Control of Prices and Supply of Information) (No.2) Regulations 2008) and over the counter medicines**

The Department's policy is that over the counter (OTC) medicines should not be covered by the regulations which control the prices of medicines supplied to the NHS (the Health Service Branded Medicines (Control of Prices and Supply of Information) (No.2) Regulations 2008). However, this was not made clear in the Health Service Medicines (Control of Prices and Supply of Information) (Amendment) Regulations 2013. The amendment apparently extended the scope of the statutory controls on prices Regulations beyond prescription only medicines and applied the limit on the prices of health service medicines supplied by manufacturers and suppliers subject to the Regulations to over the counter medicines which are supplied to the NHS. This was not the Department's policy intention. We will not enforce those regulations in relation to OTC medicines, and will amend the regulations at the next appropriate opportunity to reflect this.