

Kesner, Ben., RLD

From: - <spencedna@aol.com>
Sent: Tuesday, January 19, 2016 10:25 AM
To: Kesner, Ben., RLD
Subject: Re: Walmart falsification of reason they cannot take back "vitamins"...

MEMO

To: The NM Pharmacy Board, and ED, Ben Kesner
From: Connie Elizabeth Vigil

To the members of the board. I recently purchased some over the counter vitamins at Walmart. I realized by the time I got to the car and opened the bag that I had picked up the wrong ones. I returned to the Customer Service counter and they told me they "could not take back vitamins because it was against the law". They said the "law" was clearly posted at the pharmacy. I went back to the pharmacy area to look for the sign--- It was a barely visible behind a counter and a glass in a very small frame-- it was...16NMAC 10.614. I read it-- it said no "drugs, personal items"...etc could be returned. By the very broad scope of definition- a drug could be anything- it could be Tums, it could be vitamins, it could be nutritional supplements...virtually anything and everything in the pharmacy area- on the outside of the drug prescription area. I called Walgreens pharmacist and asked them if they had the same reason for not allowing returns of vitamins and they said absolutely NOT! They would take them back.... So what is the real truth-- and how does the board stand on the broad based excuse that Walmart is using for not taking these items back?? I would like to see a letter of reprimand to the Walmart stores if they are falsifying the reason they "cannot" take the items back and or exchange them... Walmart has a return policy and virtually all things are returnable within their time frame with receipt. They are using your regulation as an excuse not to take things back, as it would certainly be their discretion to send these types of items back to the manufacturer as they do all other items in the store. I would ask that this be investigated. I will contact the other pharmacies in Alb to see whether they use the "law" as their reason as well. If this is the case- the broad definition of drug needs to be addressed. As virtually anything can be considered a "drug" including coffee and chocolate.... As a biologist in medical research for 18 years, I would ask that this matter be taken seriously because all manufacturers are more than willing to take an item back-- at no cost to the supplier such as Walmart. Thank-you.
Connie Vigil
spencedna@aol.com
Note- I would like to address this issue with the board at their next meeting.