

Pharmacy Board of New South Wales

Teeth whitening in pharmacies

The prosecution of a beauty therapist by the Dental Practice Board of Victoria for carrying out teeth whitening resulted in a conviction and a fine of \$2,000 for contravention of the *Health Professions Registration Act 2005 (Vic)* ("the Act"). Section 98(1)(b) states that a person who is not registered as a dental care provider "must not knowingly perform any invasive or irreversible procedure on natural teeth". The magistrate found that the dental whitening procedure as practised by the defendant was an invasive and irreversible procedure. This is the first case of its kind in Australia.

If a pharmacist personally carries out teeth whitening or employs someone to do it within or separate from the pharmacy, both the pharmacist and the person actually performing the activity may be liable to prosecution unless they are registered as dental health care providers.

This advice does not apply to the sale or supply of products that are marketed for teeth whitening.

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