UNITED NATIONS

E/NL 1954/132-140
6 January 1955
ORIGINAL: English

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION OF 13 JULY 1931 FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

AUSTRALIA

Communicated by the Government of Australia

NOTE BY THE SECRETARY-GENERAL -- In accordance with Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate the following legislative texts.

E/NL.1954/132

[Published in Government Gazette No. 109 of 5th June, 1953.]

POLICE OFFENCES (AMENDMENT) ACT, 1908, AS AMENDED.-PROCLAMATION.

(L.S.) J. NORTHCOTT, Governor.

I, Sir JOHN NORTHCOTT, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Member of the Royal Victorian Order, Lieutenant General on the Retired List of the Australian Military Forces, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia, with the advice of the Executive Council, do, by this my Proclamation, declare that Part VI of the Police Offences (Amendment) Act, 1908, as amended, shall apply to-

Methorphan (3-Methoxy-N-Methylmorphinan), its salts and any preparation, admixture, extract or other substance containing not less than one-fifth per centum of Methorphan;

in the same manner as it applies to the drugs mentioned in paragraph (a) of subsection (2) of section 18 of the said Act. (A. 52-315)

Signed and sealed at Sydney, this twentieth day of May one thousand nine hundred and fifty-three.

By His Excellency's Command, C.A. KELLY.

GOD SAVE THE QUEEN!

E/NL.1954/133

[1953 - No. 153.]

NEW SOUTH WALES REGULATION.

Police Offences (Amendment) Act, 1908, as amended.

[Published in Government Gazette No. 129 of 17th July 1953.]

Chief Secretary's Department, Sydney, 17th July, 1953.

HIS Excellency the Governor, with the advice of the Executive Council. has been pleased to amend in the manner set forth hereunder the Regulations under the Police Offences (Amendment) Act, 1908, as amended.

C.A. KELLY.

Regulation 25 is amended by inserting in paragraph (1) after the word "Regulations" where secondly occurring the words "or has been charged with any offence against the Act or the Regulations and in respect of such charge an order has been made under subsection one of Section 556A of the Crimes Act, 1900, as amended by subsequent Acts."

E/NL.1954/134

[1953 - No. 241.]

NEW SOUTH WALES REGULATION.

Police Offences (Amendment) Act, 1908, as amended.

[Published in Government Gazette No. 189 of 23rd October, 1953.]

Chief Secretary's Department, Sydney, 23rd October, 1953.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to amend in the manner set forth hereunder the Regulations under the Police Offences (Amendment) Act, 1908, as amended.

C.A. KELLY, Chief Secretary.

The Regulations under the Police Offences (Amendment) Act, 1908, as amended by subsequent Acts, are amended by omitting Schedule 5 and inserting in lieu thereof the following new Schedule:-

SCHEDULE 5.

NEW SOUTH WALES.

Police Offences (Amendment) Act, 1908, as Amended by the Police Offences Amendment (Drugs) Act, 1927, and the Police Offences Amendment (Drugs) Act, 1934.

Drug
{One only, irrespective of strength, to page. }_____

Date	Name and Address of Person or Firm to whom Dispensed sold or from whom Obtained	In	Out	Balance	Dispenser's Original Dispensing Number or Letter	Name of Authority	Actual Dispenser's or Administrator's Signature

E/NL.1954/135

C and E'54/1562 T and CR52/7567

Poisons Acts.
Amendment of Sixth Schedule to the Poisons Act 1928

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, etc. etc. etc.

Whereas by the POISONS ACT 1928, it is among other things enacted that on the recommendation of the Pharmacy Board of Victoria the Governor in Council may by Proclamation add the name of any new derivative of morphine or cocaine or of any salts of morphine or cocaine or any other alkaloid of opium or any other substance or preparation of whatever kind which is or is likely to be productive, if improperly used, of ill effects substantially of the same character or nature as or analogous to those produced by morphine or cocaine, to paragraph (1) of the Sixth Schedule to the said Act: Now therefore I, the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia by and with the advice of the Executive Council of the said State, and on the recommendation of the said Board, do by this my Proclamation add the names of the following substances and preparations to the said paragraph (1) -

"Pethidine (1-methyl-4-phenyl-piperidine-4 carboxylic acid ethyl ester) and all its salts and preparations and admixtures of all salts of Pethidine including Pethidine Hydrochloride"

And declare that Division 2 of Part III of the said Act shall apply to such substances and preparations in the same manner as it applies to the substances and preparations mentioned in the said paragraph (1).

Given under my Hand the Seal of the State of Victoria aforesaid, at Melbourne, this twentieth day of January, in the year of our Lord One thousand nine hundred and fifty-three, and in the first year of the reign of Her Majesty Queen Elizabeth II.

(L.S.) DALLAS BROOKS

By His Excellency's Command,
WM. BARRY, Minister of Health

GOD SAVE THE QUEEN.

E/NL.1954/136

C and E'54/1562 T and CR52/7567

The Poisons Acts
Amendment of the Sixth Schedule to the Poisons Act 1928

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, etc. etc. etc.

Whereas by the POISONS ACT 1928, it is among other things enacted that on the recommendation of the Pharmacy Board of Victoria the Governor in Council may by Proclamation add the name of any new derivative of morphine or cocaine or of any salts of morphine or cocaine or any other alkaloid of opium or any other substance or preparation of whatever kind which is or is likely to be productive if improperly used, of ill effects substantially of the same character or nature as or analagous to those produced by morphine or cocaine, to paragraph (1) of the Sixth Schedule to the said Act: Now therefore I, the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia by and with the advice of the Executive Council of the said State, and on the recommendation of the said Board, do by this my Proclamation add the names of the following substances and preparations to the said paragraph (1)-

"All preparations of Desomorphine (dihydrodesoxymorphine)".

And declare that Division 2 of Part III of the said Act shall apply to such substances and preparations in the same manner as it applies to the substances and preparations mentioned in the said paragraph (1).

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this twentieth day of January, in the year of our Lord One thousand nine hundred and fifty-three, and in the first year of the reign of Her Majesty Queen Elizabeth II.

(L.S.) DALLAS BROOKS

By His Excellency's Command
Wm. BARRY Minister of Health

GOD SAVE THE QUEEN!

E/NL.1954/137

C and E'54/1562 T and CR.52/7567

POISONS ACTS PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia. etc., etc., etc.

Whereas by section thirty-eight of the POISONS ACT 1928 (No. 3748) as amended by the POISONS ACT 1930 (No. 3918) it is among other things enacted that the provisions of Division 2 of Part III of the said Act No. 3748 may be applied by Proclamation of the Governor in Council to the use of any preparation admixture extract or other substance of whatever kind containing any of the substances or preparations in reference to which a percentage is mentioned in the Sixth Schedule to the said Act No. 3748 in a proportion less than such percentage;

And whereas diacetylmorphine is such a substance or preparation mentioned in the said Sixth Schedule;

And whereas at a meeting on the 20th October, 1952, the Pharmacy Board of Victoria resolved that in its opinion the use of preparations admixture extracts or other substances containing diacetylmorphine in a proportion less than the percentage mentioned in the said Sixth Schedule is having ill effects of such a nature as to make it expedient that the provisions of the said Division 2 shall apply to such preparations admixtures extracts or other substances:

Now therefore I the Governor of the State of Victoria in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, do by this my Proclamation declare that Division 2 of Part III. of Act No. 3748 as amended by any Act shall apply to any preparation admixture extract or other substance containing less than one-tenth percentum of diacetylmorphine in the same manner as if the said preparation admixture extract or other substance were included in the Sixth Schedule to the said Act No. 3748.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this third day of March, in the year of our Lord One thousand nine hundred and fifty-three, and in the second year of the reign of Her Majesty Queen Elizabeth II.

(L.S.) DALLAS BROOKS

By His Excellency's Command.

WM. BARRY Minister of Health.

GOD SAVE THE QUEEN!

E/NL.1954/138

Department of Health and Home Affairs,
Brisbane, 9th July, 1953.

HIS Excellency the Governor, with the advice of the Executive Council, has, in pursuance of the provisions of "The Health Acts, 1937 to 1949," been pleased to approve of the following Regulations made by the Director-General of Health and Medical Services.

W.M. MOORE.

WHEREAS by "The Health Acts, 1937 to 1949," it is amongst other things enacted that the Director-General may make Regulations: Now, therefore, the Director-General, with the approval of the Governor in Council, doth hereby make the following Regulations:-

"The Poisons Regulations of 1947," published in the Government Gazette on 21st June, 1947, are hereby further amended as follows:-

To paragraph (a) of clause (5) of Regulation 4 is added the following:-

(viii.) Antibiotic substances (for local application only) which are not specifically named in this Regulation.

Clause (5) of Regulation 7 is hereby repealed and the following new clause inserted in lieu thereof:-

(5) No wholesaler seller of poisons shall sell any restricted drug to any person other than on the written order of a medical practitioner, veterinary surgeon, pharmaceutical chemist, or a dentist as provided for by these Regulations.

To Regulation 50 is added a new clause (iv.), as follows:-

(iv.) States a false name and/or place of abode or address to a person authorised by these Regulations to sell or dispense or prescribe or administer a dangerous drug or a restricted drug.

Paragraph (b) of Regulation 84 is hereby repealed and the following new paragraph (b) inserted in lieu thereof:-

(b) Any inspector may at a place where a pharmaceutical chemist carries on business or at any dispensary of which a pharmaceutical chemist is in charge as an employee seize any books, papers, letters, or prescriptions, or any of them concerning which such inspector has reasonable ground for suspecting that any provision of these Regulations has been contravened.

The following substance is removed from Schedule I. (Poisons) and Scheule IV. (Restricted Drugs):-

Chloromycetin.

The following substances are added to Schedule I. (Poisons) and to Schedule IV. (Restricted Drugs):-

Chloramphenicol

1:2-diphenyl-3:5 dioxo-4-n-butylpyrazolidine (known as Butazolidin or Phenylbutazone).

Hexamethonium Compounds.

Pentamethonium Compounds.

The following substance is added to Schedule V. (Dangerous Drugs):-

3-Methoxy-N-Methylmorphinan.

The following substances are added to Schedule III. (Poisons):-

Carbon tetrachloride.

Tetrachloroethylene.

The foregoing Regulations were made by me on the seventh day of July, 1953.

A. FRYBERG,
Director-General of Health and Medical Services.

W.M. MOORE,
Secretary for Health and Home Affairs.

Gov. Gaz., 11th July, 1953, page 1277.

E/NL.1954/139

WESTERN AUSTRALIA.
POLICE.

2º Elizabeth II., No. XXVIII. No. 28 of 1953.

AN ACT to amend the Police Act, 1892-1952.

[Assented to 18th December, 1953.]

BE it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:-

Short title and citation

1. (1) This Act may be cited as the *Police Act Amendment Act, 1953.*

(2) In this Act the Police Act, 1892-1952, Act II Victoriae No. 27, 1892, as reprinted with amendments to and including Act No. 15 of 1952 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Police Act, 1892-1953.

Commencement

2. This Act shall come into operation on a day to be fixed by proclamation.

S.3 amended

3. Section three of the principal Act is amended by adding after line twenty-one the following:

PART VIB.- Prohibition of the manufacture, use, sale, acquisition, possession, distribution, and supply of diamorphine, commonly known as heroin, ss. 94F-94H.

S.94A amended

4. Paragraph (a) of subsection (2) of section ninety-four A is amended

(a) by deleting the word, "diamorphine (commonly known as heroin) and" in line three;

(b) by adding before the word, "cocaine" in line eight the word, "or"; and

(c) by deleting the words, ", or diamorphine" in line eight.

S.94C amended. Cf. No. 30 of 1918, s. 36 as amended

5. Subsection (2) of section ninety-four C of the principal Act is repealed.

Part VIB added.

6. The principal Act is amended by adding after section ninety-four E the following heading and sections:

PART VIB.- Prohibition of the manufacture, use, sale, acquisition, possession, distribution, and supply of diamorphine, commonly known as heroin.

Interpretation

94F. In this Part unless the context requires otherwise

"drug" means diamorphine, commonly known as heroin, and includes its salts and any preparation, admixture, extract, or other substance containing it;

"to possess" includes to have control or dominion over, and to have the disposition of, and inflextions and derivatives of the verb, "to possess" have correlative meanings;

"to sell" means to sell by wholesale or retail and includes barter, supply for profit, offer for sale, receive for sale, have in possession for sale, expose for sale, send forward or deliver for sale, cause or suffer to be sold, and inflections and derivatives of the verb "to sell" have correlative meanings.

Prohibition

94G. It is an offence to manufacture, use, sell, acquire, possess, distribute, or supply the drug.

Penalties. Cf. s. 94E.

94H. The provisions of subsections (1), (3), (4), (5), (6) and (7) of section 94E of this Act, apply as if repeated at length in this section, and for the purposes of giving effect in this section to the provisions of subsection (7) of that section, the Governor may make regulations providing for the analysing of any drug or substance by an analyst appointed under the Health Act, 1911.

E/NL.1954/140

Extract from Tasmanian Government Gazette, December 16, 1953, page 3103

GOVERNMENT NOTICE
No. 532

Regulations under the Poisons Act 1916

I, Sir RONALD HIBBERT CROSS, Baronet, a Member of Her Majesty's Most Honourable Privy Council, Governor in and over the State of Tasmania and its Dependencies, in the Commonwealth of Australia, acting with the advice of the Executive Council, hereby make the following regulations under the Poisons Act 1916.

Dated this 11th day of December, 1953.

RONALD CROSS, Governor

By His Excellency's Command,

A. J. WHITE, Chief Secretary

THE POISONS REGULATIONS 1953

Short title and repeal

1.- (1) These regulations may be cited as the Poisons Regulations 1953.

(2) All regulations heretofore made under the Act are rescinded.

Custody of key of poison cupboard and handling and sale of poisons

2.- (1) The holder of a certificate under section 6 shall keep the key of the poison cupboard in his own possession, and shall not permit the cupboard to remain open or unlocked, or to be opened by a person except himself, or shall authorize or permit a person to handle or sell for him any poisons contained therein.

(2) No holder of a certificate under section 6 shall delegate or entrust any duty, task, or obligation imposed by the Act in connection with the custody and sale of poisons to any other person, but shall perform that duty, task, or obligation himself.

Kinds of bottles to be used for certain poisons

3.- (1) Except as provided by clause (3) of this regulation, no person shall sell a poison to which this regulation applies unless that poison is put up and offered for sale in a glass bottle complying with the following requirements, that is to say:

(a) The colour of the bottle shall be dark blue, green, or amber;

(b) The bottle may be of round or square shape (or of any other shape approved by the Board) or may have four, six, or eight sides; but shall be so formed as to be readily distinguishable from the smooth bottles ordinarily used for the purpose of dispensing medicines for internal use or for the purpose of containing a food, drink, or condiment; and

(c) There shall be embossed on the bottle, in raised letters, the words "Not to be taken" or "Not to be taken internally" as the case requires, and the bottle shall also have prominent ribs or points sufficient to further distinguish it from bottles ordinarily used for any of the purposes mentioned in paragraph (b) of this clause.

(2) In clause (1) of this regulation, the expression "poison to which this regulation applies" means any of the following poisons, that is to say:

(a) Carbolic oil;
(b) Camphorated oil;
(c) Corrosive sublimate;
(d) Creosote
(e) Formalin;
(f) Iodine, and its solutions;
(g) Lysol;
(h) Phenol;
(i) Strychnine;
(j) Tartar emetic;
(k) Solutions containing nicotine; and
(l) Any liniment, embrocation, lotion, skin paint, or liquid disinfectant consisting of, or containing, any poison.

(3) Notwithstanding the provisons of clause (1) of this regulation, if the Board so approves, a preparation that is prescribed and intended for internal use only and that contains a poison, may be sold in some suitable container other than a bottle conforming to the requirements of clause (1) of this regulation.

Special labels required in certain cases

4. No person shall sell the substance known as Paraphenylenediamine or any preparation or admixture thereof, or any other irritant hair dye as specified in the third schedule to the Act, unless the bottle or vessel containing it bears a label upon which the word "Caution" is printed in conspicuous letters, and upon which is also printed the words "This preparation may cause serious inflammation of the skin in certain persons, and should be used only in accordance with expert advice.".

Containers for disinfectants

5. Liquid disinfectants consisting of or containing poison may be sold

(a) in tins or cans having four sides, on one of which the words "Poison - Not to be taken" are distinctly embossed, printed, or branded in red letters, but so long only as all other requirements of the Act and these regulations are complied with; or
(b) in round tins or cans, securely sealed, and having a rounded, pyramid-shaped, or domed top, but so long only as above the principal label on those tins or cans the words "Not to be taken" are distinctly embossed, printed, or branded in red letters of not less than twelve points face measurement bold sans-serif capital type, and down the sides of those tins or cans the word "Poison" is embossed, printed, or branded in two places in red letters of not less than thirty points face measurement bold sans-serif capital type.

Containers for arsenic

6. No person shall sell arsenic or any preparation or admixture thereof in a paper or cardboard container.

Poisons kept by persons other than pharmaceutical chemists

7. No person, other than a registered pharmaceutical chemist, having the custody of a poison, shall remove the poison from the original package or container, labelled as prescribed by the Act in which it was sold to him.

Person in charge or possession of poisons

8.- (1) A person, being the owner or other person in charge or possession of a poison, who leaves it in a place easily accessible to other persons is guilty of a breach of these regulations.

(2) Without prejudice to the generality of the provisions of clause (1), a poison shall, for the purposes of this regulation, be deemed to have been left in a place that is easily accessible to persons other than the owner or person in charge or possession of the poison if it is left in a place where articles of food or drink are usually kept, or on a mantelpiece, windowledge, shelf, or similar place to which access may readily be obtained.

Sale of hypnotics and certain other drugs

9.- (1) Except as provided by clause (2) of this regulation, no person shall, except on the written prescription or order of a medical practitioner or of a registered veterinary surgeon, sell any of the following poisons, namely:-

(a) Barbituric acid, or any organic or metallic derivative of barbituric acid (whether described as veronal, veramon, proponal, medinal, barbital, dial, luminal or luminal sodium, phenobarbital or phenobarbital sodium, or by any other trade name, mark, or designation), and all preparations containing two per centum or more of barbituric acid or its derivatives;
(b) Chloral hydrate or any solution or preparation thereof containing five per centum or more of chloral hydrate;
(c) Cocaine or its salts or any preparation thereof containing 0.1 per centum or more of cocaine;
(d) Codeine or its salts or any preparation containing one per centum or more of codeine;
(e) Ecgonine or its salts or derivatives or any preparation or admixture containing 0.1 per centum or more of ecgonine;
(f) Ergot or any preparation or admixture thereof;
(g) Heroin (diacetyl morphine or diamorphine) or its salts or any preparation or admixture thereof;
(h) Morphine or its salts or poisonous derivatives or any preparation or admixture containing 0.2 per centum or more of morphine calculated as anhydrous morphine;
(i) Opium or any preparation or admixture thereof containing 0.2 per centum or more of morphine calculated as anhydrous morphine;
(j) Paraldehyde;
(k) Sulphonal or its homologues, whether described as tetronal, trional, or by any other trade name, mark, or designation, or any preparation or admixture thereof, or any other synthetic hypnotic substance;
(l) Sulphonamides for human use or any preparation or admixture thereof;
(m) Beta-aminopropylbenzene or its salts or N-

alkyl derivatives or their salts; beta- aminoisopropylbenzene or its salts or its N-alkyl derivatives, or their salts or preparations thereof, whether known as amphetamine, benzedrine, dexedrine, desoxyephedrine, or by any other name, except appliances for inhalation in which the poison is absorbed in inert solid matter;

(n) Penicillin or its salts or any preparation, admixture, extract, or other substance containing any proportion thereof;

(o) Synthetic antihistamine compounds or preparations, other than

(i) antihistamine compounds or preparations which cannot easily be swallowed, breathed in, inhaled, or injected into the body; or

(ii) 8-chlorotheophylline derivatives of antihistamine compounds or preparations sold for the prevention and treatment of motion sickness;

(p) Ethyl-1-methyl-4-phenylpiperidine-4-carboxylate or its salts (known as "Pethidine," "Dolantin," "Dolantal," and "Demorol");

(q) Amidone (dl-2-dimethylamino-4; 4-diphenylheptane-5-one) or its salts or any preparation, admixture, extract, or other substance containing any proportion of amidone;

(r) Methyldihydromorphinone (commonly known as Metopon) or its salts or any preparation, admixture, extract, or other substance containing any proportion of methyldihydromorphinone;

(s) Dihydro-Codeinone or its salts (commonly known as Dicodid or Tuscodin) or any preparation or admixture containing 0.1 per centum or more of dihydro-codeinone;

(t) Dihydro-Morphinone or its salts (commonly known as Dilaudid or Lucodan) or any preparation or admixture containing 0.1 per centum or more of dihydro-morphinone;

(u) Phenadoxone (6-morpholino-4; 4-diphenylheptan-3-one hydrochloride) also known as heptalgin or its salts or any preparation, admixture, extract, or other substance containing any proportion of phenadoxone;

(v) Streptomycin or its salts or any other antibiotic metabolites, whether derived from natural sources or produced by synthetic means, or any preparation thereof;

(w) Butazolidin (3, 5-dioxo-1, 2-diphenyl-4-n-butylpyrazolidine);

(x) 3-Methoxy-N-Methylmorphinan (also known as dextromethorphan, levomethorphan, and racemethorphan);

(y) 3-hydroxy-N-Methylmorphinan (also known as NU-2206, Dromoran, and methorphinan);

(z) N-Allylnormorphine (also known as "Nalline" Hydrochloride); and

(za) Cortisone and all preparations and admixtures thereof.

(2) Notwithstanding the provisions of clause (1) of this regulation, a person may, on the written prescription or order of a registered dentist that is marked by that dentist with the words "For dental treatment only", sell any of the poisons that are specified in paragraphs (a), (l), and (n) of that clause, but in the case of a poison that is specified in paragraph (a) of that clause the following conditions shall apply, namely:

(a) The poison shall be sold in tablet form only; and

(b) No more than six tablets shall be sold at any one time pursuant to the prescription or order.

(3) The provisions of clause (1) of this regulation do not apply to the sale of

(a) preparations for the eyes, ears, nose, or throat containing not more than one per centum of cocaine, or cocaine hydrochloride, when prescribed by a medical practitioner, and when denatured by the addition of preservatives, or by a solution of adrenalin, salts of zinc, copper, or mercury, or rendered unsuitable for continued internal use or for hypodermic use;

(b) eye drops denatured as specified in paragraph (a) of this clause, containing not more than two per centum of cocaine, for the purpose of first-aid in a factory that is registered under the Factories Act 1910, supplied by a registered pharmaceutical chemist on the written order of the occupier of the factory;

(c) ointments containing not more than four per centum of cocaine, or cocaine hydrochloride, when prescribed by a medical practitioner;

(d) preparations used as ingredients in veterinary medicines;

(e) tincture of opium (laudanum), but only if the seller is satisfied that the drug is required for veterinary purposes only, and if the signature of the purchaser, and the purpose for which the drug is required, are inserted in the poisons book kept by the seller;

(f) any of the substances, preparations, and solutions referred to in paragraphs (a), (c), (e), (k), (l), and (n) of clause (1) of this regulation to registered dentists in the ordinary course of their business, and upon the delivery of a written order to the seller signed by the person requiring the poison; and

(g) preparations containing not more than one-half of a grain per tablet of barbituric acid, or organic or metallic derivatives of barbituric acid and an admixture of

(i) theobrome;

(ii) ephedrine; or

(iii) aminophyllin.

(4) The following provisions apply in respect of the poisons referred to in clause (1) of this regulation, that is to say:

(a) Prescriptions shall be in writing, shall be dated and signed with the usual signature of the medical practitioner, registered veterinary surgeon, or registered dentist issuing them, and shall specify his own address and the name and address of the person for whom the prescription is given;

(b) The number of doses for which a prescription is written shall not exceed two hundred;

(c) No pharmaceutical chemist shall repeat a prescription if it does not state the number of times that it may be dispensed;

(d) A pharmaceutical chemist or assistant may dispense an emergency prescription given orally, but the prescription shall forthwith be reduced into writing by the chemist or assistant, and the writing shall be retained in the

prescription-book as a record of the prescription;

(e) No person, other than a medical practitioner, shall dispense any of those poisons except upon a prescription complying with these regulations, or without making an exact copy of the prescription in a prescription-book to be kept for the specific purpose of recording prescriptions received for the purposes of being dispensed;

(f) A medical practitioner, a registered pharmaceutical chemist, or an assistant, or apprentice under the direct personal supervision and control of a medical practitioner or of a registered pharmaceutical chemist, shall be the only persons who shall dispense any of those poisons;

(g) No poison referred to in that clause shall be supplied by a pharmaceutical chemist, or an assistant or apprentice more than once on the same prescription, unless the prescription so directs, and then only at such intervals, and for such number of times, respectively, as is directed in the prescription;

(h) A prescription shall be stamped, marked, or inscribed in writing with the date on which it is dispensed, and with the name and address of the person who dispenses it;

(i) A person who dispenses the prescription for the last occasion shall, in addition to the requirements mentioned in paragraph (d) of this clause, also write, stamp, mark, or inscribe in durable and legible letters across the prescription the word "cancelled";

(j) A prescription on which the word "cancelled" has been written, stamped, marked, or inscribed pursuant to paragraph (i) of this clause shall be retained by the person lawfully dispensing it, and shall be preserved on a file for two years;

(k) No person shall dispense a prescription containing any of those poisons if he has any reason to believe that the prescription is not genuine;

(l) In the case of a repeated prescription, an entry in the prescription-book of the particulars of the repetition signed or initialled, and dated when dispensed, shall be a sufficient compliance with this clause;

(m) The label on the bottle or package containing the poison shall be marked with the identifying letters or number of the prescription as appearing in the prescription-book;

(n) The prescription-book shall be kept at the place at which the poison is dispensed, and shall, at all reasonable times, be produced, on demand, to a person who is authorized in that behalf under the Act or these regulations;

(o) No person shall dispense a prescription that is illegible or defaced, or that appears to have been altered;

(p) No prescription that is suspected by a registered pharmaceutical chemist to be forged, or to have been fraudulently issued, or not to bear the signature of a medical practitioner, shall be dispensed by that registered pharmaceutical chemist; and

(q) For the purposes of paragraphs (c) and (g) of this clause, the number of times that a prescription may be dispensed shall not exceed six.

Labelling of packages, &c., containing D.D.T.

10. A person who sells D.D.T. (dichlorodiphenyltrichlorethane), or a preparation that contains ten per centum or more of D.D.T., shall label the package or container immediately containing it with

(a) a statement setting out the percentage of D.D.T. in the preparation;

(b) in the case of liquid preparations, a statement in the following terms:- "Avoid repeated skin contact - do not spray the preparation on food or food utensils, and wash hands after using."; and

(c) in the case of a preparation in powder form, a statement in the following terms:- "Do not use on food or food utensils.".

Supply of veterinary penicillin

11. Notwithstanding anything contained in regulation 9, penicillin that is manufactured for veterinary use may be supplied on the written prescription of a qualified veterinary surgeon or on the certificate of an officer of the Department of

(a) Agriculture of the State;

(b) Commerce and Agriculture of the Commonwealth; and

(c) Health of the Commonwealth,

who is authorized in that behalf by the permanent head or chief officer for the State or for the Commonwealth of that Department, for the purpose only of being used, under the supervision of the person signing the certificate, for the treatment of bovine mastitis.

Preparations of penicillin for the treatment of bovine mastitis

12.-(1) Notwithstanding anything contained elsewhere in these regulations, the Board, in its discretion, may grant to a person who is approved by the Board for the purpose, a permit authorizing that person to sell or supply to the person requiring it any preparation of penicillin to which this regulation applies, upon and subject to the following conditions, that is to say:

(a) The preparation shall be sold or supplied by the holder of the permit only

(i) to a stock owner (or the agent of a stock owner) who requires it for the purpose of the treatment of bovine mastitis; and

(ii) upon the written request, before delivery, of the owner or his agent;

(b) The holder of the permit shall, in addition to the record of sales to be kept pursuant to section 17, keep a record, in such form as may be approved by the Board, and shall enter therein particulars of all supplies of a preparation of penicillin to which this regulation applies that are received from time to time by the holder of the permit, together with the respective dates of receipt thereof, and the names and addresses of the wholesalers from whom the supplies are received;

(c) A record that is kept pursuant to this regulation by the holder of a permit shall be retained by him for a period of at least two years after the last entry is made therein; and

(d) The holder of the permit shall, on the demand of a person who is authorized by the Board to inspect records kept pursuant to paragraph (b) of this clause, produce the record for inspection at all reasonable times.

(2) An application for a permit under this regulation shall be made to the Board in writing and shall set forth full particulars of the facilities available to the applicant for the storage of supplies of the preparation.

(3) No permit under this regulation shall be granted to a person

(a) unless the Board is satisfied that the applicant has available to him sufficient and suitable facilities for the storage of preparations of penicillin to which this regulation applies;

(b) other than the proprietor or manager of a butter factory; or

(c) other than a person to whom a certificate as a dealer in poisons could be granted in pursuance of subsection (1) of section 6.

(4) A permit under this regulation, subject to clause (5) of this regulation, shall continue in force from the date on which it is granted until the thirty-first day of December then next ensuing, but, in the discretion of the Board, may be renewed annually.

(5) The Board may, if it thinks fit, at any time revoke a permit under this regulation.

(6) No holder of a permit under this regulation shall

(a) sell to a person penicillin or any preparation thereof, except a preparation of penicillin to which this regulation applies; or

(b) knowingly sell to a person any preparation of penicillin to which this regulation applies for a purpose other than the treatment of bovine mastitis.

(7) This regulation applies only to a preparation of penicillin that is packed in a tube having thereon a label containing a statement in the following form, or to the like effect:

"Preparation of penicillin to be used only for administration to cattle for the treatment of mastitis.".

Sales by retail of certain substances prohibited except on certain conditions

13.-(1) No person shall sell by retail any of the following substances or preparations to which this regulation applies, unless the bottle or other vessel, wrapper, box, cover, or case immediately containing the substance or preparation is labelled as provided by clause (2) of this regulation.

(2) The label to be attached to a bottle, vessel, wrapper, box, cover, or case pursuant to clause (1) of this regulation shall

(a) show the name of the substance or preparation;

(b) show the name and address of the vendor; and

(c) bear the words "Caution - Use strictly in accordance with directions.".

(3) This regulation applies to the following substances and preparations, namely:

(a) Arnica and its preparations;

(b) Acriflavine and solutions, preparations and admixtures thereof;

(c) Amyl nitrite;

(d) Argyrol and any synthetic organic silver compound and solutions, preparations and admixtures containing any argyrol or synthetic organic silver compound;

(e) Phenacetin;

(f) Phenazone and derivatives and all preparations or admixtures thereof;

(g) Mercurous chloride;

(h) Phenylcinchoninic acid, whether described as atophan, agotan, phenoquin, or by any other trade name, mark, or designation, and all derivatives of phenylcinchoninic acid;

(i) Podophyllin;

(j) Silver nitrate and its solutions;

(k) Mercurochrome and preparations, solutions and admixtures thereof;

(l) Metallic bromides (including ammonium bromide) or preparations or admixtures containing ten grains or more per dose;

(m) Vaccines, sera, toxins, antitoxins, and antigens;

(n) Salvarsan and any analogous substance used for specific treatment of infectious diseases; and

(o) Brilliant green, gentian violet, crystal violet and all other dye substances and their solutions and admixtures and preparations thereof for therapeutic use.

Precautions to be observed on sale of chloropicrin

14. A person who sells chloropicrin or a preparation thereof shall sell it only in a glass container encased in an outer metal container fitted with an air-tight lid or in a container specifically approved by the Board, and shall label the container with his own name and address and with the words, "Poisonous - Not to be taken" and with the following warning and directions:

"Warning

Chloropicrin was formerly used as a poisonous war gas and its vapours can be lethal in small concentration. Every care must be taken when handling chloropicrin to avoid inhaling the fumes; repeated small doses have a cumulative effect. It first causes smarting and watering of the eyes and this should be taken as a warning signal.

When using chloropicrin indoors, or in confined spaces, or when pouring large quantities, wear a gas mask. When using it out of doors, remain to the windward side when pouring or using the material, and do not inhale the fumes and exercise care in manipulating containers and applicators.

Directions

Action to be taken in event of accidental contamination by liquid or inhalation of fumes

Contamination by liquid. - If liquid is spilt on the skin, wipe off, and wash thoroughly with soap and water. Remove contaminated clothing, and air thoroughly before using again.

Inhalation of fumes. - Remove patient to fresh air and induce deep breathing. Give whiff of ammonia if available. Complete rest and warmth. If symptoms at all severe, call medical aid.".

Penalty

15. A person who contravenes or fails to comply with any of the provisions of these regulations is liable to a penalty of ten pounds.

I certify that the foregoing regulations are in accordance with the law.

R. F. FAGAN, Attorney-General.

55-00309 - 695